

CONFIRMATIONS

Executive nominations confirmed by the Senate February 4, 1927

COMMISSIONERS OF THE DISTRICT OF COLUMBIA

Proctor L. Dougherty.
Sidney F. Taliaferro.

CLERK OF UNITED STATES COURT FOR CHINA

J. Marvin Howes.

UNITED STATES MARSHAL

Harry S. Hubbard to be United States marshal, district of Porto Rico.

POSTMASTERS

GEORGIA

James A. Brackett, Blairsville.
Corine E. Dickerson, Homerville.

IDAH0

Osmond Buchanan, Blackfoot.
John L. Rooke, Cottonwood.

ILLINOIS

Evan Harris, Gillespie.
Warren E. Wright, Murrayville.
John F. Mains, Stronghurst.
David G. Birkett, Washington.

IOWA

Charlie M. Willard, Persia.
Samuel C. Laverty, Promise City.

KENTUCKY

Walter Creech, Cumberland.

MAINE

James Mahaney, Cherryfield.

MARYLAND

Howard E. Dixon, Brunswick.
Harry R. Kinnaman, Myersville.
Philip E. Hunt, Waldorf.

MICHIGAN

Grace Tillie, Honor.
Perry Anderson, Stanwood.
Gertrude S. Scott, Sterling.

MISSISSIPPI

James S. Niles, Kosciusko.
Mary E. Cain, Vaiden.

MONTANA

Prince A. Mowbray, Brady.
Fred N. Weed, Terry.

NEW JERSEY

Walter W. Whitman, Pleasantville.
Edward J. Tidaback, Short Hills.
Wilbur Fuller, Sussex.

NEW MEXICO

Timothy B. Baca, Belen.
Pearl Hare, Bloomfield.
Augustin F. Sisneros, Espanola.

NEW YORK

Christopher Martin, Altamont.
Hilbert W. Becker, Brightwaters.
Michael Gleason, Carthage.
Maurice M. Parker, Deferiet.
Emil M. Pabst, Huntington Station.
Charles G. Mackey, jr., Milton.
Henry A. Holley, Otisville.
Henry E. Johnston, Spencer.
Frank L. Millen, Watkins Glen.
Albert A. Patterson, Willsboro.

NORTH DAKOTA

Carl Indergard, Belfield.
Inez Grams, Bowbells.
John W. Vogel, Coleharbor.
Milo C. Merrill, Flaxton.
Ruth Ellickson, Regent.
Josephine M. Lierboe, Turtle Lake.

OHIO

Leonard T. Cool, Canton.
Jesse L. Bales, Jackson.
Rossiter S. Williams, Oak Hill.
Eugene G. Dick, Oberlin.
Edward J. Cranmer, Ostrander.
Claude E. Gardner, Powell.
Minnie A. Jackson, Rockford.
William E. Thomas, Wellston.

OKLAHOMA

Eugene F. Harreld, Ardmore.
Roscoe E. Robertson, Eufaula.
Charles C. Sellers, Quapaw.

PENNSYLVANIA

Harry M. Bowman, Annville.
Harry H. Wilson, Blairsville.
Floyd A. Hellyer, Cranesville.
Anna M. Black, Flora Dale.
Ralph B. Kunkle, Homer City.
Otto R. Baer, Irwin.
Wilbur C. Johnson, Lopez.
William H. Young, McDonald.
John S. Steinmetz, Richland.
James S. Fennell, Salina.
George W. Kreidler, Yoe.

TENNESSEE

Anderson W. Warren, Waverly.

VIRGINIA

Agnes L. Ivey, Catlett.
William B. Dew, Sweet Briar.

HOUSE OF REPRESENTATIVES

FRIDAY, February 4, 1927

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

O love divine, accept our tribute of praise and thanksgiving. We would say, Holy, holy, holy, Lord God Almighty. Lead us to strive to be worthy of all, and may evil lose its power over us. Imbue us thoroughly with a spirit of love for our country and devotion to its lasting welfare. When the way is steep and straight, long and lonely, come from behind the clouds and be the beacon light on the upward journey. Through stress and strain and storm may we know that God is God and blessed forevermore. May our directive purpose for this day be for God and our dear homeland. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Craven, its principal clerk, announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill H. R. 16462, entitled "An act making appropriations to supply urgent deficiencies in certain appropriations for the fiscal year ending June 30, 1927, and prior fiscal years, and to provide urgent supplemental appropriations for the fiscal year ending June 30, 1927, and for other purposes."

The message also announced that the Senate had passed with amendments House bill of the following title, in which the concurrence of the House is requested:

H. R. 11601. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors, etc.

The message also announced that the Vice President had appointed Mr. HALE and Mr. SWANSON members of the joint committee on the part of the Senate as provided for in the act of February 16, 1889, as amended by the act of March 2, 1895, entitled "An act to authorize and provide for the disposition of useless papers in the executive departments," for the disposition of useless papers in the Navy Department.

ENROLLED BILLS SIGNED

Mr. CAMPBELL, from the Committee on Enrolled Bills, reported that that committee had examined and found truly enrolled House bills and House joint resolutions of the following titles, when the Speaker signed the same:

H. R. 2190. An act for the relief of Agnes W. Wilcox;

H. R. 2994. An act for the relief of Harry J. Dabel;

H. R. 3664. An act to correct the military record of Daniel C. Darroch;

H. R. 5085. An act to remove the charge of desertion from and correct the naval record of Louis Nemec, otherwise known as Louis Nemeck;

H. R. 5243. An act to promote the mining of potash on the public domain;

H. R. 5486. An act for the relief of Levi Wright;

H. R. 6384. An act to amend the acts of June 7, 1924, and March 3, 1925, granting certain public lands to the city of Phoenix, Ariz.;

H. R. 7563. An act to amend section 4900 of the United States Revised Statutes;

H. R. 7849. An act for the relief of Ella Miller;

H. R. 8784. An act for the relief of Bertha M. Leville;

H. R. 8923. An act for the relief of Sheffield Co., a corporation of Americus, Ga.;

H. R. 9061. An act to authorize Lieut. Commander Lucius C. Dunn, United States Navy, to accept from the King of Denmark a decoration known as a "Knight of the Order of Dannebrog";

H. R. 9268. An act to amend the agricultural credits act of 1923;

H. R. 9433. An act for the relief of Alexander Edward Metz;

H. R. 9919. An act for the relief of Stanton & Jones;

H. R. 10082. An act to permit construction, maintenance, and use of certain pipe lines for petroleum and its products;

H. R. 10424. An act to ratify the action of a local board of sales control in respect of a contract between the United States and Max Hagedorn, of La Grange, Ga.;

H. R. 10901. An act to authorize the incorporated town of Wrangell, Alaska, to issue bonds in any sum not exceeding \$50,000 for the purpose of constructing and equipping a public-school building in the town of Wrangell, Alaska;

H. R. 11139. An act for the relief of Celestina Mateos;

H. R. 11174. An act to amend section 8 of the act of September 1, 1916 (39 Stat. L. p. 716), and for other purposes;

H. R. 11259. An act to reimburse or compensate James E. Parker for money, clothing, and other property misplaced or appropriated by United States authorities during the World War;

H. R. 11586. An act for the relief of Fannie B. Armstrong;

H. R. 12109. An act to amend section 115b of subchapter 3 of chapter 1 of the District of Columbia Code;

H. R. 12110. An act to amend section 1135, chapter 31, of the District of Columbia Code;

H. R. 12952. An act to authorize the village of Decatur, in the State of Nebraska, to construct a bridge across the Missouri River between the States of Nebraska and Iowa;

H. R. 13451. An act to increase the pensions of certain maimed veterans who have lost limbs or have been totally disabled in the same, in line of duty, in the military or naval service of the United States; and to amend section 4788 of the Revised Statutes of the United States by increasing the rates therein for artificial limbs;

H. R. 13453. An act to amend the act providing additional aid for the American Printing House for the Blind;

H. R. 13778. An act for the relief of certain citizens of Eagle Pass, Tex.;

H. R. 14250. An act to authorize reimposition and extension of the trust period on lands held for the use and benefit of the Capitan Grande Band of Indians in California;

H. R. 15127. An act for the relief of sufferers from floods in the vicinity of Fabens and El Paso, Tex., in September, 1925;

H. R. 16023. An act relating to the transfusion of blood by members of the Military Establishment;

H. J. Res. 53. House joint resolution to amend an act entitled "An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War, and certain widows and dependent children of soldiers and sailors of said war," approved December 23, 1924; and

H. J. Res. 100. House joint resolution to authorize the Secretary of War to expend not to exceed \$125,000 for the protection of Government property adjacent to Lowell Creek, Alaska.

LEAVE OF ABSENCE

Mr. FREAR. Mr. Speaker, I ask unanimous consent for the indefinite leave of absence for my colleague [Mr. LAMPERT] on account of sickness in his family.

The SPEAKER. Without objection, the leave is granted.

There was no objection.

URGENT DEFICIENCY APPROPRIATION BILL—CONFERENCE REPORT

Mr. WOOD. Mr. Speaker, I call up the conference report on the bill (H. R. 16462) making appropriations to supply urgent deficiencies in certain appropriations for the fiscal year ending June 30, 1927, and prior fiscal years, and to provide urgent supplemental appropriations for the fiscal year ending June 30, 1927, and for other purposes.

Mr. GARNER of Texas. Mr. Speaker, I think we ought to have a quorum on this very important matter. I want the House to understand the issues involved.

Mr. TILSON. Let me say to the gentleman from Texas that Members are coming in rapidly, and it may be as we go along there will be no need for a roll call.

The SPEAKER. The Clerk will report the conference report. The Clerk read the conference report, as follows:

CONFERENCE REPORT

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 16462) making appropriations to supply urgent deficiencies in certain appropriations for the fiscal year ending June 30, 1927, and prior fiscal years, and to provide urgent supplemental appropriations for the fiscal year ending June 30, 1927, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, 5, and 6, and agree to the same.

Amendment numbered 11: That the House recede from its disagreement to the amendment of the Senate numbered 11, and agree to the same with an amendment as follows: In lieu of the sum named in said amendment insert the following: "\$1,500,000"; and the Senate agree to the same.

The committee of conference have not agreed on amendments numbered 4, 7, 8, 9, and 10.

WILLIAM R. WOOD,
LOUIS C. CHAMTON,
JOSEPH W. BYRNS,

Managers on the part of the House.

F. E. WARREN,
CHARLES CURTIS,
LEE S. OVERMAN,

Managers on the part of the Senate.

Mr. WOOD. Mr. Speaker, I move the adoption of the conference report.

Mr. BLACK of Texas. Will the gentleman yield for a question before he makes that motion?

Mr. WOOD. I will.

Mr. BLACK of Texas. As I understand the conference agreement, it provides for \$1,500,000 for the purchase of a site for a Supreme Court building?

Mr. WOOD. Yes.

Mr. BLACK of Texas. The site which I understand it is proposed to purchase includes the Congressional Apartments and other buildings, and it means that all those buildings, some of them splendid structures, will have to be torn down and scrapped to construct this new building on that site. Does the gentleman think that ought to be done? Does he not think a site could have been procured without that necessity and without that enormous cost?

It looks to me like an act of criminal waste to tear down these perfectly good buildings where other sites are available without that necessity.

Mr. WOOD. It might be possible to acquire another site at less cost if we go out in the suburbs, but for the improvement of the city in accordance with the program, the gentlemen whose business it was to select a site for the Supreme Court thought that this was the proper place upon which to locate it.

Mr. BLACK of Texas. Who did select the site?

Mr. WOOD. The committee that has been established with reference to the building program.

Mr. BLACK of Texas. Does the amendment provide that condemnation proceedings shall be resorted to, or is it to be purchased at that price?

Mr. WOOD. Here is the situation: The committee was informed that the assessed value of that property is practically \$900,000; that the sale value was in the neighborhood of \$1,500,000. They asked for \$1,700,000, but we thought that we might aid them some by restricting the amount of the appropriation, and we made the amount what seemed to be by investigation of the Supervising Architect a fair sale value of that property.

I wish to state that the Supreme Court, while it does not have the right to decide where to locate this building, has indicated approval of this location.

Mr. BLACK of Texas. The assessed value of the property is \$900,000, and this amendment proposes to pay \$600,000 more for the site than the assessed value. I protest against it, and will certainly do what I can to defeat the conference report.

Mr. WOOD. No; it is not proposed to pay \$600,000 more than the assessed value. They asked for an appropriation of \$1,700,000. If we have to resort to condemnation proceedings, the value will be fixed by the court upon the evidence. If they can agree to purchase without condemnation, they want an appropriation sufficiently large, so that there will be no hitch in the commencement of the construction.

COTTON

Mr. ASWELL. Will the gentleman yield me two minutes?

Mr. WOOD. I will yield to the gentleman from Louisiana two minutes.

Mr. ASWELL. Mr. Speaker, the world loves a champion and rejoices in victory. In the gallery of this House to-day are the 10 cotton-growing champions of America. By the use of brain as well as brawn, the mind as well as the hand, they have produced startling results in the production of cotton. I would like to give a few examples of their accomplishment in view of the present strained situation with reference to agriculture in America. The cost per pound by these champions was reduced from 18 cents to 6 and 9 cents a pound.

Mr. Cox, State champion of Georgia, made a profit last year, while the price of cotton was so low, of \$71.25 per acre. [Applause.] Mr. Connella, State champion of Louisiana, made a profit of \$65.59. [Applause.] Mr. G. Mont Adams, of Texas, a profit of \$43.41 per acre. [Applause.] Miss Elga Daniels, of Texas [applause], a profit of \$45.75 per acre. And the most amazing achievement was that of Mr. Harrell, State champion of Tennessee, who made a profit of \$132.05. [Loud applause.] Then, also, there are Mr. Elstner Beall, of Arkansas, with a profit of \$31.50; and Mr. Pierce Adams, of Arkansas, with \$76.40 profit per acre.

Mr. Speaker, these farmers deserve the plaudits of the Congress and of the American people for showing that, through the use of intellectual activities as well as physical, cotton and other agricultural products can be raised at a profit. I take great pleasure in acknowledging the honor that I have in presenting to this House these 10 cotton champions who now sit in the gallery of the House. [Applause, the Members rising.]

URGENCY DEFICIENCY APPROPRIATION BILL—CONFERENCE REPORT

The SPEAKER. The question is on agreeing to the conference report.

The question was taken.

Mr. BLACK of Texas. Mr. Speaker, I object to the vote, and make the point of order that there is no quorum present.

The SPEAKER. The gentleman from Texas makes the point of order that there is no quorum present. The Chair will count. [After counting.] One hundred and sixty Members present—not a quorum. The Doorkeeper will close the doors, the Sergeant at Arms will bring in absent Members, and the Clerk will call the roll.

The Clerk called the roll, and there were—yeas 295, nays 49, answered "present" 2, not voting 87, as follows:

(Roll No. 24)

YEAS—295

Abernethy	Bulwinkle	Douglass	Glynn
Ackerman	Burdick	Dowell	Goddwin
Adkins	Burton	Drane	Green, Fla.
Aldrich	Butler	Drewry	Green, Iowa
Allen	Byrns	Driver	Greenwood
Allgood	Campbell	Dyer	Griest
Andrews	Candfield	Eaton	Griffin
Andrew	Carter, Calif.	Elliot	Hadley
Appleby	Carter, Okla.	Ellis	Hale
Arentz	Celler	Englebright	Hall, Ind.
Arnold	Chalmers	Esterly	Hall, N. Dak.
Aswell	Chindblom	Evans	Hardy
Ayres	Christopherson	Fairchild	Harrison
Bacharach	Clague	Faust	Hawley
Bacon	Cochran	Fenn	Hayden
Ball	Cole	Fish	Hersey
Bankhead	Collier	Fisher	Hickey
Barbour	Collins	Fitzgerald, Roy G.	Hill, Md.
Beck	Colton	Fitzgerald, W. T.	Hogg
Beedy	Connery	Fletcher	Holaday
Beers	Connolly, Pa.	Fort	Hooper
Begg	Cooper, Wis.	Frear	Houston
Bixler	Corning	Fredericks	Hudson
Black, N. Y.	Cramton	Free	Hudspeth
Bland	Crowther	Freeman	Hull, Tenn.
Eloom	Crumpacker	French	Hull, Morton D.
Eyles	Dallinger	Frothingham	Hull, William E.
Flowman	Darrow	Funk	Irwin
Boylan	Davenport	Furlow	Jacobstein
Brand, Ohio	Davey	Gallivan	Jenkins
Briggs	Davis	Gambrill	Johnson, Ind.
Brigham	Denison	Gardner, Ind.	Johnson, S. Dak.
Browne	Dickinson, Iowa	Garner, Tex.	Johnson, Wash.
Browning	Dickinson, Mo.	Garrett, Tenn.	Kahn
Brumm	Dominick	Garrett, Tex.	Kearns
Buchanan	Doughton	Gibson	Keller

Kerr	Montague	Schafer	Tydings
Ketcham	Mooney	Schneider	Underhill
Kieffer	Moore, Ky.	Scott	Underwood
Kieess	Moore, Ohio	Sears, Fla.	Udlike
Knutson	Moore, Va.	Seger	Valle
Kopp	Morgan	Shreve	Vare
Kunz	Morrow	Simmons	Vestal
Kurtz	Nelson, Mo.	Sinclair	Vincent, Mich.
Lanham	Newton, Minn.	Sinnott	Vinson, Ga.
Leatherwood	Norton	Smith	Vinson, Ky.
Leavitt	O'Connell, N. Y.	Smithwick	Voigt
Lehibach	O'Connell, R. I.	Somers, N. Y.	Wainwright
Lindsay	Oldfield	Speaks	Walters
Lineberger	Patterson	Spearing	Warren
Linthicum	Peavey	Sproul, Ill.	Wason
Luce	Peery	Sproul, Kans.	Watres
Lyon	Perkins	Stalker	Watson
McDuffie	Porter	Stedman	Weaver
McKeown	Pou	Stobbs	Weller
McLaughlin, Nebr.	Pratt	Strong, Kans.	Welch, Calif.
McLeod	Purnell	Strong, Pa.	Wheeler
McMillan	Quayle	Summers, Wash.	White, Kans.
McKeynolds	Quin	Summers, Tex.	White, Me.
McSweeney	Ragon	Swank	Whitehead
MacGregor	Ramsayer	Sweet	Whittington
Magee, N. Y.	Ransley	Swing	Williams, Ill.
Magee, Pa.	Rathbone	Taylor, Colo.	Williams, Tex.
Magrady	Reece	Temple	Williamson
Major	Reed, Ark.	Thatcher	Wilson, La.
Manlove	Reed, N. Y.	Thomas	Winter
Mapes	Reid, Ill.	Thompson	Wolverton
Martin, La.	Robison, Ky.	Thurston	Wood
Martin, Mass.	Rogers	Tillman	Woodruff
Menges	Romjue	Tilson	Wright
Michaelson	Rowbottom	Timberlake	Wurzbach
Michener	Sabath	Tincher	Yates
Miller	Sanders, N. Y.	Tolley	Zihlman
Mills	Sandlin	Treadway	

NAYS—49

Almon	Fulmer	Kincheloe	Rouse
Black, Tex.	Garber	Kirk	Rubey
Blanton	Gasque	Kvale	Rutherford
Box	Gilbert	Lankford	Sanders, Tex.
Brand, Ga.	Hammer	Larsen	Stegall
Bushy	Hastings	Lowrey	Stevenson
Cannon	Hill, Ala.	Lozier	Taylor, W. Va.
Carss	Hill, Wash.	McClintic	Tucker
Chapman	Howard	McSwain	Wefald
Connally, Tex.	Jeffers	Morehead	Woodrum
Crisp	Johnson, Ky.	Oliver, Ala.	
Edwards	Johnson, Tex.	Rainey	
Eslick	Jones	Rankin	

ANSWERED "PRESENT"—2

Deal

NOT VOTING—87

Anthony	Foss	Letts	Prall
Auf der Heide	Gifford	Little	Rayburn
Bachmann	Golder	McFadden	Robinson, Iowa
Barkley	Goldsborough	McLaughlin, Mich.	Shallenberger
Bell	Gorman	Madden	Snell
Berger	Graham	Mansfield	Sosnowski
Bowles	Hare	Mead	Stephens
Bowling	Haugen	Merritt	Strother
Britten	Hoch	Milligan	Sullivan
Burtness	Huddleston	Montgomery	Swartz
Carew	James	Morin	Swoope
Carpenter	Johnson, Ill.	Murphy	Taber
Cleary	Kelly	Nelson, Me.	Taylor, N. J.
Cooper, Ohio	Kemp	Nelson, Wis.	Taylor, Tenn.
Cox	Kendall	Newton, Mo.	Tinkham
Coyle	Kindred	O'Connor, La.	Upshaw
Crosser	King	O'Connor, N. Y.	Welsh, Pa.
Cullen	LaGuardia	Oliver, N. Y.	Wilson, Miss.
Curry	Lampert	Parker	Wingo
Dempsey	Lazaro	Parks	Woodyard
Dickstein	Lea, Calif.	Perlman	Wyant
Doyle	Lee, Ga.	Phillips	

So the conference report was agreed to.

The Clerk announced the following pairs:

Until further notice:

Mr. Madden with Mr. Whitehead.
 Mr. Anthony with Mr. Cullen.
 Mr. Stephens with Mr. Goldsborough.
 Mr. King with Mr. Lee of Georgia.
 Mr. Newton of Missouri with Mr. Cleary.
 Mr. Swoope with Mr. Bell.
 Mr. Hoch with Mr. Sullivan.
 Mr. Curry with Mr. Prall.
 Mr. Dempsey with Mr. Rayburn.
 Mr. Gifford with Mr. Doyle.
 Mr. Johnson of Illinois with Mr. Kindred.
 Mr. Graham with Mr. Mansfield.
 Mr. McFadden with Mr. Mead.
 Mr. Snell with Mr. Wingo.
 Mr. Morin with Mr. Bowling.
 Mr. Kendall with Mr. Parks.
 Mr. McLaughlin of Michigan with Mr. Auf der Heide.
 Mr. Welsh of Pennsylvania with Mr. Kemp.
 Mr. Britten with Mr. Shallenberger.
 Mr. Merritt with Mr. Wilson of Mississippi.
 Mr. Strother with Mr. Cox.
 Mr. Taylor of Tennessee with Mr. Little.
 Mr. LaGuardia with Mr. O'Connor of Louisiana.
 Mr. Kelly with Mr. Milligan.
 Mr. Coyle with Mr. Lazaro.
 Mr. Murphy with Mr. Upshaw.
 Mr. Lampert with Mr. Oliver of New York.
 Mr. James with Mr. Barkley.
 Mr. Haugen with Mr. Carew.
 Mr. Golder with Mr. Huddleston.

Mr. Parker with Mr. O'Connor of New York.
 Mr. Taber with Mr. Hare.
 Mr. Wyant with Mr. Lea of California.
 Mr. Taylor of New Jersey with Mr. Dickstein.
 Mr. Sosnowski with Mr. Berger.
 Mr. Bachmann with Mr. Nelson of Wisconsin.

The result of the vote was announced as above recorded.
 A quorum being present, the doors were opened.

RESIGNATION OF HON. OGDEN L. MILLS

The SPEAKER. The Chair lays before the House a communication and asks the attention of the Members to its reading, in view of the discussion which occurred yesterday.

The Clerk read as follows:

FEBRUARY 4, 1927.

HON. NICHOLAS LONGWORTH,

House of Representatives, Washington, D. C.

MY DEAR MR. SPEAKER: Under date of February 2, 1927, I inclosed a copy of a letter from me to the Governor of the State of New York, tendering my resignation as a Representative in Congress, to take effect at noon on Thursday, February 3, 1927.

In the afternoon of February 2, having found that there was no occasion for the immediate assumption by me of my official duties as Undersecretary of the Treasury, I telephoned the secretary to the governor recalling my letter. You were notified of this action on February 2, but only after you had read to the House a copy of my letter to the governor.

I am sending herewith a copy of a letter just received from Hon. George B. Graves, secretary to the governor, confirming the fact that my resignation was withdrawn before the time on which it was to take effect, that it was never accepted, therefore, by the governor, and returning to me my letter of resignation.

I am writing you this letter in order to set the records straight, and trust that it may be published in the CONGRESSIONAL RECORD.

Very sincerely yours,

OGDEN L. MILLS.

STATE OF NEW YORK, EXECUTIVE CHAMBER,
Albany, February 3, 1927.

HON. OGDEN L. MILLS,

House of Representatives, Washington, D. C.

DEAR CONGRESSMAN: As you, of course, know, the governor was only too glad to comply with your request, and your letter dated February 2 is herewith returned.

Yours very truly,

GEO. B. GRAVES.

DISABLED EMERGENCY OFFICERS

Mr. McSWAIN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by printing therein brief resolutions passed by the American Legion of South Carolina respecting the disabled reserve officers' retirement bill.

The SPEAKER. Is there objection?

There was no objection.

Mr. McSWAIN. Mr. Speaker, under leave to print, I submit the following resolution passed by American Legion, Department of South Carolina, at its eighth annual convention, held at Chester, S. C., on August 6, 1926:

Whereas the American Legion, through its national legislative committee, has been trying for some seven years to have passed legislation providing for the retirement of disabled emergency officers; and

Whereas of the nine classes of officers who served the United States of America during the World War, eight classes enjoy the retirement privilege and only one class, the disabled emergency officers of the Army, do not, this being distinctly a discrimination against them; and

"Whereas a bill to wipe out this discrimination has been pending in some form in the National Congress for some eight years, has twice passed the United States Senate, has been approved and favorably reported by the World War Veterans' Committee of the House, and is now on the calendar of both Houses; and

"Whereas a majority of the Members of the Congress have expressed themselves as being in favor of the legislation; and

"Whereas it appears that the steering committee or some other committee of the House has consistently prevented the pending bill coming up for a vote; and

"Whereas the American Legion at each of its national conventions has overwhelmingly voted to have the proposed legislation passed and become a law: Now therefore be it

"Resolved by the American Legion, Department of South Carolina, in convention assembled at Chester, S. C., on the 6th of August, 1926, That we favor the passage of the bill now pending before Congress known as the Tyson-Fitzgerald bill for the retirement of disabled emergency officers, which provides that emergency officers who were disabled in the service of their country during the World War and who are permanently disabled to an extent of 30 per cent or more, be retired on the same basis as now provided for officers of the Regular Army and other classes of officers who were disabled in the service. Be it

"Resolved further, That copies of this resolution be sent our representatives in Congress, to the national adjutant of the American Legion, to the national legislative committee of the Legion, and that they be requested to use every possible effort to have the pending bill enacted into law at the next session of the present Congress."

I hereby certify that the above is a true copy of the resolution passed by the American Legion, Department of South Carolina, at its eighth annual convention held at Chester, S. C., on August 6, 1926.

[SEAL.]

M. C. FOSTER,

Adjutant, the American Legion, Department of South Carolina.

Mr. GARBER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. Is there objection?

There was no objection.

Mr. GARBER. Mr. Speaker, Members of the House, I herewith present for consideration House Resolution No. 7 of the State of Oklahoma, requesting the Senate of the United States to pass Senate bill No. 3027 and the House of Representatives of the United States to pass bill No. 4548 in their present form, which said bills are designed to give much needed relief to the disabled emergency officers of the Army.

House Resolution 7, by Mr. Brown, requesting favorable action by the Congress of the United States on Senate bill No. 3027 and House bill No. 4548, now pending, pertaining to the retirement for disabled emergency officers of the World War on equal terms and conditions with officers of the Regular Army, the Navy, and Marine Corps

Whereas there is now pending in the Senate of the United States a bill known as the Tyson bill (Senate bill No. 3027) and a similar bill is pending in the House of Representatives of the United States known as the Fitzgerald bill (H. R. No. 4548); and

Whereas both of said bills provide for retirement of disabled emergency officers of the World War on equal terms and on the same conditions provided for other disabled officers of the Army, Navy, and Marine Corps; and

Whereas there were nine classes of officers in the World War, namely, (1) Regular Army officers, (2) regular naval officers, (3) regular Marine Corps officers, (4) provisional Army officers, (5) provisional naval officers, (6) provisional Marine Corps officers, (7) emergency Army officers, (8) emergency naval officers, (9) emergency Marine Corps officers; and

Whereas all officers disabled in line of duty in the service of the United States during the World War are granted retirement privileges, except the emergency Army officers disabled in line of duty, and

Whereas it is simple justice to the emergency Army officers who served in the World War and who were disabled to receive the same benefits accorded the other eight classes of officers: Therefore be it

Resolved by the House of Representatives of the State of Oklahoma, That we request the Senate of the United States to pass Senate bill No. 3027 and request the House of Representatives of the United States to pass House bill No. 4548 in their present form, which said bills are designed to give relief to said disabled emergency officers of the Army as provided in said bills; and be it further

Resolved, That the chief clerk of the house of representatives be instructed to furnish each Senator and Member of Congress from the State of Oklahoma, the President of the United States, the Vice President of the United States, the Speaker of the House of Representatives of the United States, the chairman of the Rules Committee of the House of Representatives of the United States, the chairman of the steering committee of the House of Representatives of the United States, Congressman ROY FITZGERALD, and Senator LAWRENCE D. TYSON with a copy of this resolution.

EVOLUTION OF MEXICO

Mr. LOZIER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD upon the conditions, revolutions, and evolution of the Republic of Mexico.

The SPEAKER. Is there objection?

There was no objection.

Mr. LOZIER. Mr. Speaker, our relations with the Republic of Mexico are being subjected to a severe strain. All good Americans and I trust all good Mexicans are hoping for a wise, just, and permanent solution of our Mexican problem. In its consideration it is worth while to understand not only the present complicated conditions in Mexico, but we should familiarize ourselves with the history of our neighbor south of the Rio Grande.

While Mexico has many forward-looking, progressive, educated, and cultured people, a very large proportion of her population is illiterate and less enlightened than the people of the United States. Probably the masses in no modern nation have been exploited more by the classes than the people of Mexico. While Mexico is a Republic with a constitution and system of government patterned after and very similar to that of the

United States, still the great majority of the Mexican people have as yet but sparingly participated in governmental affairs. The natural resources of Mexico have been shamelessly exploited by the governing classes and financial overlords. Too often the Mexican people have had only the shadow and not the substance of free institutions.

Compared with the United States, Mexico is weak and defenseless, although she has a population of approximately 15,000,000. Because of our superior attainments in the science of government, our unparalleled national wealth and resources, our potential and actual military and naval power, and our exalted position among the nations of the earth, we should at all times deal with our weak and revolution-ridden sister republics with justice, generosity, and magnanimity.

Unfortunately, we are not very familiar with her history, her struggles, her unrest, her internal convulsions, and her many other perplexing problems. There is much in her history that shocks the conscience of mankind and much that appeals mightily to the hearts and better judgment of men. Her many unspeakable crimes I do not palliate. Many of her blunders I can not excuse. Many of her administrative policies I condemn unsparingly. But with all her faults, follies, mistakes, blunders, and at times vicious policies, there is much left in the history of the Mexican Republic and Mexican people to admire.

I wish ill to no man or nation. There is room enough in this old world to permit every existing and organized state to live, to prosper, and to work out its own national destiny. I would gladly see Mexico discard her nonprogressive policies, abandon her national habit of exploiting her people and natural resources, restrain tumult and disorder, restore internal tranquility and establish and maintain a just government, not for the favored classes and special-privilege groups alone, but for the masses without regard to their station in life or economic environment.

In short, I express the hope that Mexico may soon emerge from her travail, purged of her weaknesses, and rehabilitated in every branch of her government, so she may have a tighter grip on destiny and a clearer vision, comprehension, and appreciation of the functions of a just and stable government. Otherwise, she can not hope to enjoy the fruits of our Christian civilization and be a factor in the progress of the world.

In order that we may better understand the Mexican problem, with your permission I am going to enumerate some of the important events in the history of this next-door neighbor of ours and trace the "Evolution of Mexico" from an oppressed province of a decadent European power to a position of influence in the sisterhood of republics.

The history of Mexico in the last century is a record of almost countless revolutions. Spain ruled Mexico for 300 years, from 1521 to 1821. During the Spanish régime all offices were in possession of European Spaniards; and natives, though of Spanish blood, were denied participation in public affairs.

There were five revolutions against Spanish authority before Mexico gained her independence. The standard of revolt against Spain was first raised in Dolores, in 1810, by Don Miguel Hidalgo, a native priest, who probably contributed more to the cause of Mexican independence than any other one man. He was ably assisted by Ignacio Allende, a captain in the Spanish Army, who deserted to the insurgents. As all Mexico was dissatisfied with Spanish misrule, the eloquence of Hidalgo awakened the smoldering fires of Mexican patriotism, but after some temporary success this revolution collapsed.

In the latter part of 1810 Hidalgo promoted a second revolution, which ended in failure and the capture and execution of Hidalgo and Allende in July, 1811. The patriotism and glory of Hidalgo were tarnished by his atrocities, as thousands of Spaniards were put to death by his orders. But in taking the measure of this Mexican patriot, history must consider the time in which and the conditions under which he struggled. In attempting to hold Mexico in subjection Spain had committed innumerable acts of wanton cruelty, and it is not strange that the Mexicans, struggling for freedom, adopted a policy of retaliation and reprisals.

The third revolution, inaugurated in 1812, was led by Jose Maria Morelos, a curate of a village in Valladolid, who was both generous and brave. Born of obscure parentage, he was for a time a muleteer, but, being ambitious, he saved his earnings and acquired an education, being a pupil of Hidalgo when the latter was rector of the College of San Nicolas, at Valladolid. As a follower of Hidalgo in the first two uprisings, Morelos had attained the position of captain general of the southwestern provinces. With a few hundred troops, mostly negroes, he captured Acapulco, defeating a large party of troops. He organized a regular government and a congress was convened at Chilpancingo that declared Mexico an independent

government. After numerous victories and defeats, culminating in guerilla warfare, Morelos was captured and put to death in December, 1815.

A fourth revolution began in 1817. Gen. Francisco Xavier Mina, a Spanish soldier and adventurer, was its leader. In April, 1817, with 500 soldiers, he landed at Soto la Marina and marched into the interior. After capturing the rich city of Leon and winning several victories he was defeated and, with 25 of his followers, shot in November, 1817. Other vagrant bands were defeated, but Guadalupe Victoria held out for two years.

The fifth and final revolution against Spanish authority was begun by Don Augustin Iturbide, who had previously fought on the side of Spain. He was ably assisted by Vicente Guerrero and Guadalupe Victoria, insurgent leaders, who contributed much to the success of the revolutionary movement. On February 24, 1821, Iturbide proclaimed the celebrated "plan of Iguala," which declared Mexico a constitutional monarchy, independent of Spain, and guaranteed citizenship to all Mexicans who supported the revolution. This revolt was widespread. Creole troops and insurgent bands flocked to the standard of Iturbide, and after a feeble resistance Spanish authority was overthrown. On September 24, 1821, just seven months after the beginning of the revolution, Iturbide entered the capital of Mexico in triumph and the last vestige of Spanish authority over Mexico disappeared.

After acting as President and regent, the Mexican Congress, overawed to some extent by a mob demonstration in the capital, proclaimed Iturbide Emperor of Mexico, and on July 21, 1822, he was solemnly crowned amid pompous ceremonies under the name of Augustin I.

A sixth revolution was caused by Iturbide's abuse of power. In November a rebellion broke out in the northern provinces, but it was quickly subdued. On December 6, 1822, General Santa Anna, in the city of Vera Cruz, proclaimed a republic and headed a rebellion against Iturbide. Echavarri, one of Iturbide's generals, had been ordered to attack Santa Anna. Instead of doing this, he joined forces with Santa Anna, with whom Vicente Guerrero, Guadalupe Victoria, and other insurgent leaders were cooperating. Encompassed by the hostile forces of these revolutionary generals, and surrounded by a people who were dissatisfied with his exercise of autocratic power, Iturbide, in despair, abdicated in March, 1823. Congress ignored his abdication, treated his election as void from the beginning, and after keeping him in custody for a season, deported him to Europe in May, 1823.

After the overthrow of Iturbide a provincial government was set up with Generals Victoria, Bravo, and Negrete as temporary executives until a federal republic was established, with a constitution modeled, to some extent, after that of the United States. This constitution was adopted in October, 1824, and General Guadalupe Victoria was chosen as the first constitutional President, General Nicolas Bravo was the first Vice President of the Republic.

Ambitious to reestablish himself, Iturbide went first to Italy, then to London, and in July, 1824, returned to Mexico in disguise, but was promptly arrested and executed by order of the Provincial Congress of Tamaulipas on July 24, five days after he landed at Soto la Marina.

The administration of Victoria was marked by a great degree of prosperity. Slavery was largely abolished in September, 1825. However, the people were divided into two political parties, between which the rivalry for supremacy was violent and bitter. The Escocés, like the Federalists of the United States, desired a strong centralized form of government and were accused of desiring to reestablish the monarchy. The Yorkinos, or Democratic Party, advocated the maintenance of the Federal Republic and were charged by their enemies with being anarchists and opposed to public order. The contest between these two parties was largely a struggle between two factions or groups of the Masonic fraternity for the control of Mexico. The Escocés Party was made up very largely of the adherents of Scottish Rite Masonry, while the Yorkinos Party included the Masons in Mexico who adhered to the ceremonies observed by the York Rite Masons. While each of these parties was controlled by one faction of the Masonic fraternity, the rank and file of each of the parties was made up of those not identified with Masonry. In the 1826 election both of these rival parties resorted to bribery and corruption, and in many districts the elections were declared illegal. The country was badly divided by these contending factions, and in 1826 and 1827 the Escocés, under the leadership of Vice President Bravo, brought about an insurrection. On January 7, 1828, the Escocés were defeated at Tulancingo by General Guerrero, the leader of the Yorkinos, and Government forces. This reverse broke forever the power of the Escocés as a factor in Mexican politics.

In the presidential election in 1828 Gen. Gomez Pedraza was the candidate of the Conservative Party, and Gen. Vincinte Guerrero was nominated by the Yorkinos. Pedraza was elected by only two electoral votes. The Yorkinos, declaring the result to have been accomplished by coercion, corruption, and bribery, resorted to arms. Santa Anna, the stormy petrel of Mexican history who had aided in the overthrow of Iturbide, at the head of 500 men took possession of the castle of Perote and proclaimed Guerrero President. After a brief, but sanguinary contest, President Pedraza waived his right to office and left the country in January, 1829, advising his partisans to submit to an unconstitutional President rather than again precipitate his distressed country in civil war.

Guerrero, who was a mulatto and once a slave, succeeded Victoria as President, April 1, 1829.

Taking advantage of the distracted condition of Mexico, Spain sought to reestablish her sovereignty. In July, 1829, a Spanish army under General Barradas landed at Cabo Rojo, near Tampico. Without waiting for orders, Santa Anna, who was governor and commander at Vera Cruz, marched against the Spaniards and defeated them in two engagements, and on September 11, 1829, the invading army surrendered, was disarmed, and sent to Habana. On September 15 of that year the total abolition of slavery was decreed, though the law was not fully enforced for years.

During the Spanish invasion, when the life of the nation was trembling in the balance, the Mexican Congress conferred on Guerrero dictatorial powers. After the defeat of the Spanish invasion, Guerrero refused to give up this autocratic power. This precipitated another revolution, led by Vice President Anastasio Bustamante, who commanded the army in Jalapa, and who proclaimed the restoration of the constitution. Guerrero was deserted by his army and deposed, and Bustamante elected President in his stead on January 11, 1830.

Guerrero fled to southern Mexico, where he made a war on his successor until January, 1831, when he was inveigled on board an Italian ship and delivered to his enemies. Condemned by a court-martial, he was shot in February, 1831.

Like Guerrero, Bustamante was not content to merely exercise his constitutional rights. In 1832 his assumption of dictatorial powers precipitated another revolution led by Santa Anna, who defeated the forces of Bustamante at Casas Blancas on November 12, 1832. Bustamante was overthrown and banished to Europe in 1833. The exiled Pedraza (who had been elected President in 1828, but denied the office) was recalled to serve the remaining three months of Bustamante's term, which expired April 1, 1833, on which date Gen. Antonio Lopez de Santa Anna became President and Valentin Gomez Farias Vice President. Within two weeks after Santa Anna began his administration an insurrection broke out within a few miles of the capital, the insurgents proclaiming their intention to make Santa Anna dictator. It was charged that the movement was inspired by Santa Anna, but realizing that the times were not propitious he gathered a large force and suppressed the uprising.

Santa Anna left the executive power in the hands of Vice President Farias and retired to his estate. Cockfighting, gambling, horse racing, intriguing, incubating rebellions, fostering revolutions, and plotting for imperial power were his chief occupations. He was dreaming of empire and impatiently awaited the time when he could proclaim himself master of Mexico in defiance of her constitutional form of government. Vice President Farias insisted on maintaining the constitution, which put him into almost constant collision with the resourceful Santa Anna, who was tirelessly plotting to establish himself as the autocrat of all Mexico. Some small insurrections against the Government were suppressed by Santa Anna. He was a favorite with the army, but unpopular with the people, who distrusted him.

Early in 1834 Santa Anna gathered around him the army and military chiefs and began a war against Farias, who was no mean antagonist. However, the revolutionary forces under Santa Anna prevailed, and early in January, 1835, Farias was overthrown and exiled. Santa Anna dissolved Congress that was hostile to his ambitions, and supported by the army and Centralist Party, in disregard of the constitution, he assumed dictatorial powers. A new Congress was convened and the Federal constitution of 1824 was abrogated. The Mexican States were abolished, or rather converted into departments under the absolute charge of military commanders appointed by the central government, which was republican in name only.

In harmony with his crafty purposes, Santa Anna, while still retaining the office of President, caused Gen. Miguel Barragan to be made provisional President. Santa Anna preferred for a time to leave the nominal administration of executive affairs to an official whose actions he could easily control but

for whose maladministration he would nominally not be responsible. On the death of Barragan, March 1, 1835, the authority of Santa Anna became absolute. He was nominally President, but in reality dictator of Mexico. In 1835 Francisco Garcia, Governor of Zacatecas, revolted against Santa Anna, but was soon defeated, deprived of his office, and exiled to Texas.

At that time Texas was a part of Mexico. The Texans who were largely American colonists refused to submit to the dictatorship and asserted their independence. Santa Anna marched to subdue the Texans. The heroic defense of the Alamo by 150 Texans against a two weeks' siege by 4,000 Mexicans, is known to every American student. On March 6, 1836, the Alamo fell, but all of its gallant defenders, except about half a dozen, died fighting bravely. The survivors, except three women, were shot by order of Santa Anna. On April 21, 1836, at San Jacinto, 1,600 Mexicans under Santa Anna were decisively defeated by 783 Texans under the command of Gen. Samuel Houston. Santa Anna was captured on the following day. When brought before General Houston he arrogantly said:

You were born to no ordinary destiny; you conquered the Napoleon of the West.

Santa Anna signed a treaty with the provisional President of Texas, David G. Burnett, in which the independence of Texas was recognized and the Mexican Army retired beyond the Rio Grande.

After being held in custody for several months, Santa Anna was sent to the United States, and in February, 1837, President Jackson returned him to Mexico on an American man-of-war. He was coldly received, and conscious of his loss of popularity he retired to his estate to await another turn of the wheel of fortune.

The treaty made by Santa Anna with the Texans was repudiated by the Mexican Congress and disavowed by Santa Anna himself on his return to Mexico. Nevertheless Mexico did not thereafter make any vigorous efforts to recover the lost Province of Texas.

The absence and captivity of Santa Anna unsettled conditions in Mexico. Bustamante was recalled from exile in 1836 and afterwards elected President of the Republic, beginning his administration April 19, 1837. Soon thereafter General Urrea, of Tampico, revolted, and while Bustamante was engaged in suppressing this rebellion Santa Anna became President ad interim. In 1838 Generals Urrea and Mejia headed another uprising. President Bustamante, having confidence in the military ability of Santa Anna, placed him at the head of the army that marched against the insurgents. The rebels were quickly defeated and General Mejia shot.

In November, 1838, a French fleet blockaded the harbor of Vera Cruz and French troops were landed in that city. This expedition had for its object the collection from Mexico of certain demands alleged to be due French subjects on account of losses sustained by them during the domestic convulsions through which Mexico had been passing. Santa Anna offered his services to the Government and was appointed commander in chief. By a spirited attack Santa Anna forced the French to reembark. In this attack a French cannon ball took off one of Santa Anna's legs. By suppressing the Mejia rebellion and driving the French out of Vera Cruz, Santa Anna regained his popularity.

In 1839, when President Bustamante left the capital to subdue an uprising in Tamaulipas, Congress appointed Santa Anna his substitute. While yet suffering from the loss of his limb, he took charge of the executive office on February 17, 1839, and administered affairs until July 11 of that year, when he retired to his estate, but continued to plot against the administration. A new uprising, led by General Farias and General Urrea, broke out in the City of Mexico in July, 1840. A sanguinary contest for 12 days was without decisive results, and by agreement between the opposing factions universal amnesty was declared. On August 8, 1841, General Paredes headed a new revolt and issued a final manifesto against Bustamante. This was followed on September 9 by another uprising in Mexico City, led by General Valencia, and by a third in Vera Cruz, fostered by Santa Anna. Bustamante was overthrown in September, 1841, by Santa Anna, Bravo, Valencia, and Paredes. Santa Anna became provisional President October 10, 1841, from which date until December 6, 1844, he exercised a dictatorship, either as provisional or constitutional President, acting sometimes personally and sometimes through his substitutes. In 1842-43 the supreme power was held for a few months by General Bravo, who acted as a substitute for Santa Anna during the absence of the latter.

In October, 1844, Santa Anna retired to his estate on private business. The Mexican Congress appointed Minister of War

Canalizo provisional President during the absence of Santa Anna. In November, 1844, General Paredes, with his army at Guadalajara, pronounced against Santa Anna. The national Congress, which was favorable to Paredes, was dissolved by Canalizo, the acting President, and was shut up in prison, soon to be released by the insurgents, who deposed and imprisoned Canalizo. As an evidence of the unpopularity of Santa Anna, his amputated leg, which he had lost in fighting the French at Vera Cruz and which had been buried with military honors, was dug up, carried through the streets of Mexico, and kicked about with every mark of hatred and contempt. Santa Anna was impeached, deposed, his portrait burned by the mob, and his statue demolished. In January, 1845, he was captured and imprisoned until the following May, when he was deported to Habana.

On the overthrow of Santa Anna and Canalizo, December 6, 1844, Gen. Jose Joaquin de Herrera was appointed provisional President. In August of that year he was elected President, entering upon his duties September 16 following. During his administration the war with the United States broke out. Conscious of the inability of Mexico to win this struggle, Herrera expressed a desire to obtain a peaceable settlement of the dispute between the two nations. This policy made him unpopular, and an abortive revolution followed in June, 1845. Later Paredes, who was in command of the Mexican Army at San Luis Potosi, took advantage of the attitude of Herrera to arouse the patriotism of his countrymen, and on December 14 pronounced against the administration of Herrera. The army under Paredes declared in favor of the revolution, entered the capital, joined the forces of General Valencia, and on December 30, 1845, drove Herrera from power, and Paredes was elevated to the Presidency on January 2, 1846. In May, 1846, General Yanez began a revolt against President Paredes at Guadalajara. From July 29 to August 4, General Bravo was temporary President. On August 4, 1846, General Moriano Salas headed a revolt in favor of Santa Anna while President Paredes was absent from the capital attempting to suppress an uprising in the State of Jalisco.

Salas acted as provisional President until December, 1846, when Santa Anna was elected. As Santa Anna was at the head of the Mexican Army, attempting to resist the invasion of the United States troops, Salas turned over the Government to Vice President Gomez Farias on December 24, 1846. In February, 1847, a revolt in opposition to the anticlergy faction was inaugurated in the City of Mexico, led by General Salas and Manuel Pena y Pena. For some time daily battles took place in the streets of the capital, resulting in the overthrow of Farias and Pena became provisional President. After Santa Anna was defeated on February 23, 1847, by the American Army at Buena Vista, hearing that Vice President Farias had been overthrown, Santa Anna hastened to the City of Mexico, displaced Pena, and assumed the Presidency, March 21. During the absence of Santa Anna from the capital, Pedro Maria Anaya was President, ad interim, from April 2 to May 20.

On occupation of the City of Mexico by the American Army, on September 14, 1847, Santa Anna resigned the Presidency and retired from the capital. After a few unsuccessful efforts to retrieve his lost fortunes he went into exile in Jamaica.

After the resignation of Santa Anna, Manuel Pena y Pena, who was president of the supreme court of justice, automatically became President and entered upon his duties September 26, 1847, at Queretaro, the temporary seat of government, and held office until November 12, on which date Congress elected Pedro Maria Anaya provisional President, who served until January 8, 1848, but as Congress had failed to elect a constitutional President, on that date Pena again took charge of the executive and continued to act as President until June 3 following, when he was succeeded by General Herrera.

On February 2, 1848, the United States and Mexico concluded the treaty of Guadalupe Hidalgo which ended the war. By this treaty Mexico gave up its claims to Texas and ceded practically all the territory now included in New Mexico, Arizona, Nevada, Utah, upper California, and a part of Colorado, to the United States, aggregating about 850,000 square miles, an area about seventeen times as large as New York State. Five thousand miles of seacoast were added to our possessions, and the agricultural and mineral resources of this vast domain defy computation.

On May 30, 1848, Congress reelected Herrera President, and in June, after the evacuation of the capital by the United States Army, he resumed charge of the Government. Immediately thereafter Cenobio Jarauta began a revolution in the city of Aguas Calientes to overthrow the Republic and establish a monarchy. The turbulent General Paredes joined in this movement. After the capture of Guanajuato by the rebels,

Jarauta was taken by the Government forces under General Bustamante and shot.

On January 8, 1851, Congress elected General Mariano Arista President, and on the 15th of that month Herrera turned over the Government to his successor. This was the first time in the history of Mexico in which a change of government had taken place in a constitutional manner and without a revolution.

Shortly after the elevation of Arista to the Presidency there was an uprising in the City of Mexico against his authority, and Carbajal began another revolt in northern Mexico. In July, 1852, a new revolution broke out at Guadalajara, led by Colonel Blancarte. This movement was at first local in its character, being directed against the Governor of the State of Jalisco, but it ultimately resulted in a declaration in favor of the return of Santa Anna to power. General Uruga, who was sent by President Arista to suppress this Jalisco revolt, deserted Arista and joined forces with Blancarte. The combined armies overthrew Arista, compelled his resignation on January 5, 1853, and his ultimate banishment from Mexico. From the fall of Arista the executive power was exercised by Ceballos, president of the supreme court, until February 8, when Gen. Manuel Maria Lombardini was chosen provisional President by the revolutionary troops. Santa Anna was recalled from exile and elevated to the Presidency for the fifth time, assuming office on April 20, 1853. Adversity had not curbed the ambitions of Santa Anna. Soon after his return to power he was accused of a design to assume imperial power. On December 21, 1853, in pursuance of his ambitious plans, a servile Congress appointed him President for life, bestowed upon him the title of "Most Serene Highness," and the power of nominating his successor.

The iron rule of Santa Anna provoked the violent opposition of the Liberal Party, ending in numerous uprisings, the principal one being that led by Gen. Juan Alvarez, governor of the State of Guerrero, who is known in history as "the Panther of the Pacific." These insurrections, incubated locally in 1853, assumed national proportions in March of the following year, when General Alvarez promulgated what is known as the "plan of Ayutla," which pronounced against Santa Anna and for the restoration of constitutional government. In the Battle of Santa Saltillo, July 22, 1855, Santa Anna was decisively defeated by the forces of Alvarez and Santos Degollado, who with Epitacio Huerta and Pueblita had raised a revolt in the State of Michoacan. On August 9 following Santa Anna abandoned the capital. A week later he sailed for Habana, and afterwards retired to his estate at Turbaco, New Granada.

Confusion and disorders in the capital followed the flight of Santa Anna. The revolutionary junta immediately designated Gen. Romulo Diaz de la Vega as Acting President, who adopted energetic measures to maintain order. On August 15 a representative assembly named Gen. Martin Carrera as Acting President, who resigned on September 11 following, and was succeeded by Vega, who for a second time within 30 days was chosen President of the Republic. In September Alvarez became provisional President. The Mexican Congress convoked at Cuernavaca on October 4, 1855, invested him with the Presidency. On November 15 he made his entrance into the capital, escorted by a bodyguard of Indians, Alvarez being of Indian blood. His abolition of the privileges of the clergy and the army generated intense hostility, and on December 11 Alvarez resigned, substituting his minister, Ignacio Comonfort, as provisional President.

When Alvarez resigned the Presidency and retired to southern Mexico he carried with him a liberal supply of arms and munitions from the national arsenals and \$200,000 from the public treasury to console him in his retirement.

The army, clergy, and conservatives united against Comonfort, and after considerable fighting in the streets of the capital the revolt was subdued. On December 19 the junta of Zacapoastla declared against him. On March 20, 1856, Comonfort defeated the conservatives at Puebla and forced them to surrender.

In October a rebellion broke out in Puebla led by Col. Miguel Miradon; another at San Luis Potosi, and a third in Queretaro under the leadership of Gen. Tomas Mejia. All were soon suppressed by the resourceful Comonfort. The decrees confiscating church property and forbidding the clergy to hold landed estate produced several uprisings which were subdued, but the condition of the nation was far from tranquil. On March 11, 1857, Congress promulgated a new constitution, vesting in itself all control over religious and military affairs. In 1857 Comonfort was elected constitutional President by a large majority, but his position was precarious because of the opposition of the clergy and army. On December 17, 1857,

shortly after his reinauguration, following an uprising by the church party, Comonfort dissolved congress, declared himself dictator, and set aside the constitution he had recently promulgated and sworn to support. He imprisoned Benito Juarez, president of the supreme court of justice and a supporter of the new constitution. He was abandoned by his own party, and on January 11, 1858, Zuloaga's brigade, the last to remain faithful, declared against Comonfort. After a sanguinary struggle lasting 10 days the rebels gained possession of the capital. Zuloaga deposed Comonfort and declared himself President, in utter disregard of the constitutional rights of Benito Juarez, who, as president of the supreme court, was the legitimate successor of Comonfort. Juarez, the *de jure* President, who was forced to leave the capital, retired to Guanajuato, where he issued a manifesto on January 19, 1858, assuming the office of President and organized a government to oppose the reactionary forces, which government was recognized by many of the States. Comonfort, unable to weather the storm, in February, 1858, fled to the United States and then to France.

Beset by the conservative forces Juarez for a time maintained "a government on wheels," moving first to Guadalajara, then to Colima, and, finally, by way of Panama and New Orleans, to Vera Cruz, where he arrived on May 4, 1858, installed his government and as the leader of the Liberal forces continued to make war on the *de facto* government, asserting his right to the Presidency.

Zuloaga gathered around him the reactionary chiefs and opposed aggressively the "war of reform" waged by Juarez and the Liberal Party. This was one of the bloodiest of the many Mexican revolutions. After the "plan de Navidad" was promulgated by Gen. Manuel Robles Pezuela and General Echegaray, the army renounced Zuloaga and on December 23, 1858, he was deposed, taking refuge in the British Legation. General Robles Pezuela became President; but, not receiving the support of the other revolutionary chiefs, he resigned after serving less than one month.

Early in January, 1859, the "Junta de Notables" named Gen. Miguel Miramon as provisional President, but when he entered the capital on January 21 he declared the deposition of Zuloaga illegal and reinstated him. On February 2 following Zuloaga resigned, appointed Miramon as his substitute, and installed him in office. Miramon compelled Zuloaga to accompany him on his military expeditions, nominally as chief of engineers but in reality as a prisoner. In July, 1860, on the march to Jalisco, Zuloaga escaped, immediately issued a manifesto revoking his resignation of February 2, 1859, and declared himself constitutional President. Whereupon Miramon returned in haste to the capital, resigned as substitute President, and caused himself to be appointed provisional President by the junta.

But the Liberal government maintained at Vera Cruz by Juarez was gaining ground rapidly, and on December 22, 1860, Miramon was decisively defeated at Calpulalpam. Returning to the capital, Miramon and Zuloaga, with whom he had made peace, divided the government funds between them, Miramon fleeing to France and Zuloaga going to the mountains to recruit a new army.

General Juarez, at the head of the Liberal armies, entered the Mexican capital January 11, 1861. In March of that year he was elected constitutional President, defeating Sebastian Miguel Laredo de Tejada. Juarez, a full-blood Indian of the Zapoteca Tribe, was the most remarkable man that Mexico ever produced. In April, 1859, the United States recognized the Juarez government while it was being maintained at Vera Cruz and struggling for supremacy.

In the latter part of 1861 the clerical and reactionary parties incubated insurrections which produced unsettled conditions throughout the nation.

In July, 1861, Congress enacted a law suspending for two years the payment of debts due citizens of foreign nations. England, France, and Spain united to enforce payment of obligations due their subjects, and on December 8 of that year the allied fleet of these nations invested and took possession of Vera Cruz, the most important seaport in Mexico. By adroit diplomatic maneuvers and promises of settlement, Juarez and his plenipotentiary, Manuel Doblado, managed to satisfy England and Spain, and the forces of these two nations withdrew. But France, under the pretext of protecting her subjects who were residents of Mexico, declared war on Juarez on April 16, 1862. After the capture of Puebla the republican government dissolved Congress and evacuated the capital on May 31, and on June 10 Juarez established his government in San Luis Potosi. The invading French forces inflicted numerous defeats, and Juarez with his army and government, moved from place to place, until finally in August, 1865, with only 22 followers left, he established his headquarters on the United States frontier. In 1864 Maximilian was crowned Emperor of Mexico, but

Juarez never gave up the struggle to overturn the Empire and reestablish the Republic.

Juarez's term of office expired November 30, 1865. Gen. Gonzalez Ortega, as nominal president of the supreme court, claimed the executive power; but Juarez, actuated by a patriotic impulse, arbitrarily extended his term of office until a constitutional election could be held. He continued to resist the imperial army and the wheel of fortune soon turned in his favor. He and his generals inflicted a succession of defeats on the imperial forces. Maximilian, besieged in Queretaro, was captured on May 15, 1867, by the Mexican Army under General Escobedo. On June 19 following, Maximilian and two of his generals, Miramon and Mejia, were shot. After the fall of Maximilian and the capture of the City of Mexico, Juarez entered the capital on July 5, 1867. Soon thereafter Santa Anna headed an abortive movement to regain power. He was arrested, imprisoned in San Juan de Ulua, and sentenced by a court-martial to death, but was pardoned by Juarez on condition that he leave Mexico forever. On December 25 of that year, Juarez was elected constitutional President over Porfirio Diaz. Following his election Diaz, Garcia de la Negrete, Santa Anna, and others stirred up insurrections, but they accomplished nothing except to keep the nation in a state of unrest.

Unmindful of the conditions under which he had been pardoned, Santa Anna, while living in New York, in 1870 fostered another uprising in Jalapa of which his son was the nominal leader. This movement accomplished nothing. Juarez was re-elected President in 1871, defeating Sebastian Lerdo de Tejada and Porfirio Diaz. As neither candidate secured a majority in the election, under the constitution the matter was referred to the national Congress, which elected Juarez, who was installed October 11, 1871. Numerous revolutionary attempts followed the declaration of this election. After General Rocha had put down one of the uprisings in the capital, 250 insurgents were shot after their capture. Diaz proclaimed the "plan de Noria"; Trevino revolted in Monterey, Garcia de la Cadena in Aguas Calientes, Donato Guerra in Zacatecas, and Martinez in Coahuila. Confronted on every hand by able and resourceful enemies, Juarez displayed remarkable energy and military ability in combating these insurrections until death ended his career on July 18, 1872. Apoplexy was assigned the immediate cause of his death, but many of his contemporaries entertained the suspicion that he had been poisoned.

On the death of Juarez, Sebastian Lerdo de Tejada, president of the supreme court of justice, became President by virtue of his office and the constitution. With the promulgation by Tejada of the decree of amnesty, the insurrections subsided, and in a few months tranquillity was restored. Taking advantage of this decree of amnesty, Santa Anna returned to Mexico and in a few years died in obscurity.

In the autumn of 1872, Tejada, by a practically unanimous vote, was elected President, and on December 16 following he entered upon his regular term. In January, 1873, Gen. Porfirio Diaz fostered another uprising in the northern and central Mexican States. Soon General Herrera and a host of other ambitious warriors pronounced against Tejada and for the revolution. For a time the insurgents were successful, but soon they met with decisive reverses which for a time put an end to the anti-Tejada opposition.

In the election in 1876, five candidates contested for the presidency; President Tejada, Chief Justice Jose Maria Iglesias, General Mejia, General Diaz, and Gomez Palacio. The returns showed the election of Tejada by a very large majority. The defeated candidates and their partisans declared the election illegal on account of unlawfulness, fraud, and coercion, but the supreme court held it valid. Two of the defeated candidates, Iglesias and Diaz, resorted to arms to overthrow Tejada. Iglesias declared himself provisional President and established headquarters at Leon in the State of Guanajuato. Diaz defeated the army of Tejada in the battle of Tecuac, on November 16, 1876. Five days later Tejada fled to the United States, and Diaz entered the capital in triumph, amid the greatest demonstrations. On November 30 he proclaimed himself provisional President. Unable to reconcile Iglesias, Diaz defeated him in battle and Iglesias fled to the United States.

On one occasion Mexico had four presidents, all claiming the office at the same time—Tejada, Iglesias, Diaz, and Mendez; the latter being intrusted with the executive power during the temporary absence of Diaz on one of his military expeditions. In February, 1877, Diaz was elected President, and on May 5 took the oath of office for a term expiring November 30, 1880. In 1878-79, rival leaders promoted revolts, but all were suppressed by Diaz with but little difficulty.

In the election held in July, 1880, General Manuel Gonzalez was elected President. Revolutionary outbreaks followed, but they were easily suppressed and the national Congress con-

firmed the election of Gonzalez who was inaugurated December 1. He was the first President who peacefully succeeded to the Presidency since the adoption of the constitution of 1857. All of his predecessors since that date, except Diaz, were violently deposed.

In 1884, Diaz was reelected President and inaugurated December 1 of that year. By successive elections he occupied the Presidency until May 25, 1911, when he was forced to resign as a result of the success of the Madero revolution, which had been in progress about two years. During his long lease of power, Diaz ruled with an iron hand, suppressed many uprisings and by swift and ruthless exercise of autocratic power, brought about a state of tranquillity, which continued until a short time before his overthrow.

On the abdication of Diaz, Francisco I. Madero, jr., was declared provisional President and was afterwards elected and inaugurated constitutional President November 6, 1911. He was a patriot, but lacked executive ability and was unable to cope with the discordant elements that dominated the nation. He struggled hard to bring order out of chaos, but the reactionary forces gradually undermined his power and brought about his downfall and death.

Following the collapse of the Diaz government, relations between the United States and Mexico became exceedingly acute because of conditions incident to the Maderista revolution, not only in Mexico but along the international boundary between the two Republics. Numerous acts of lawlessness by Mexicans toward American citizens and their property interests were a source of much concern to the United States, and while President Taft mobilized the American troops on the frontier, he declined to intervene, although military intervention was vigorously urged by a strong public sentiment resulting from propaganda industriously circulated by those holding oil, land, and mineral concessions.

After numerous outbreaks against Madero's government had been suppressed, on October 16, 1912, Gen. Felix Diaz—a nephew of Porfirio Diaz—raised the standard of revolt and took possession of Vera Cruz. He was defeated and captured a week later. On October 27 he was condemned to death by a court martial, but by direction of Madero the sentence was not enforced. Diaz, unappreciative of the leniency shown by Madero, on February 9, 1913, brought about another revolution. For several days a pitched battle was fought in the streets of Mexico City between the Madero troops under the command of Gen. Victoriano Huerta and the insurgents led by Felix Diaz and Gen. Bernardo Reyes, in which struggle the latter was slain. On February 18, in furtherance of a conspiracy between Huerta and the insurgents, Huerta deserted and imprisoned President Madero and Vice President Jose Maria Pino Suarez, whose resignations he compelled.

Huerta was proclaimed provisional President. Five days later Madero and Suarez were assassinated, doubtless by the order of Huerta. Huerta abrogated the constitution and republican form of government, ignored all restraining laws, and established a military dictatorship, followed by a reign of terror. Numerous revolts against his authority sprang up in various parts of the country, the most formidable of which were the ones in northern Mexico led by Francisco Villa, a resourceful bandit of no mean military ability, and Venustiano Carranza, governor of the State of Coahuila. Both had followed the fortunes of Madero and aided materially in the overthrow of Diaz. They had the cooperation of Zapata, a bandit, who controlled large forces in districts south of the capital, and who has been in a chronic state of rebellion for years.

President Wilson adopted the policy of refusing to recognize a government that had been established by usurpation, force, and violence. He refused to recognize the Huerta provisional government, unsuccessfully urged an immediate free and fair election in Mexico which would reflect the choice of the Mexican people for President, and warned Americans of their danger of remaining in Mexico during these protracted periods of disorder. He demanded of both the de facto government of Huerta and the insurrectionists that they respect the lives and property of Americans.

After a series of irritations and insults the Washington Government sought reparation by naval and military forces, which occupied Vera Cruz. This was a punitive expedition to bring the Mexican people to a realization that they could not continue with impunity to ruthlessly destroy American lives and property. But President Wilson was unwilling to precipitate war between the United States and the distracted and impotent Mexican Republic, and when the A, B, C powers of South American (Argentina, Brazil, and Chile) tendered their friendly offices to compose the differences between the United States and Mexico, President Wilson promptly accepted the proposal. The willingness of the United States to submit its cause to

the arbitrament of three Latin-American nations had a wholesome effect throughout Latin America and immensely increased the prestige and influence of the United States not only in the Western Hemisphere but among all nations.

The A, B, C powers in conference at Washington considered plans for the settlement of the internal and external differences in Mexico and issued an appeal to the rival Mexican factions to compose their differences, which was not heeded by either of the Mexican warring groups.

The activities of Villa, Carranza, and Zapata culminated in the overthrow of Huerta on July 15, 1914.

After the fall of Huerta, Villa and Carranza, each greedy for supreme power, began to war against each other, and as a result the country was distracted by these warring factions. Following the flight of Huerta, General Carbajal exercised dictatorial power in the city of Mexico from July 15 to August 15, 1914. Then General Carranza took up the task, but soon removed his headquarters to Vera Cruz, where he felt more at ease. Then came General Blanco, Zapata, and Villa, in the order named, to administer the affairs of the secessionist capital. Gutierrez and others were designated by revolutionary chiefs to serve as provisional President, but they were figureheads and exercised no actual authority. In time the Villa forces were scattered by successive decisive defeats administered by the constitutional forces under the command of General Carranza.

The strained relations between the United States and Mexico were further accentuated in March, 1916, by an attack of Villistas on the American town of Columbus, N. Mex. In retaliation the United States sent a punitive American force under General Pershing into Mexico in pursuit of Villa, who, at the head of a mobile force, fled over deserts and mountains, with every part of which he was familiar, thus easily evading capture by or contact with General Pershing and his forces. A new raid into Texas was made by Mexican bandits. Before our punitive force was recalled an encounter with Mexican troops resulted in casualties on both sides and the capture of 17 Americans, who were subsequently released.

I believe we had a treaty with Mexico which provided that in the event bandits or armed forces from Mexico crossed the international boundary line and committed depredations in the territory of the United States, then our military forces were authorized to follow these lawless bands into Mexico in an effort to capture and bring them to justice. So the Pershing expedition into Mexico was not only justified as a punitive or retaliatory measure, but was authorized by a treaty between Mexico and the United States. However, Carranza protested the invasion of Mexican territory by General Pershing, demanded the withdrawal of the United States troops, and called 150,000 Mexican militia to the border.

The relations between the United States and Mexico were improved when an agreement was reached between the two Republics for the appointment of a joint commission of six members, which, it was hoped, might reach an agreement acceptable to both Republics. This commission failed to agree upon an acceptable plan of action. The United States had been gradually withdrawing our troops from Mexico, and in 1917, in the hope of reestablishing cordial relations, the Washington Government sent an ambassador to Mexico, accredited to the Carranza government. In that year Mexico adopted a new constitution, and it was fondly hoped that the pacification of Mexico might be achieved in a few months or years.

Unfortunately the administration of President Carranza did not materially improve the troublous conditions in Mexico. Revolt followed revolt, until May 8, 1920, when he was driven from the Mexican capital, and two weeks later was killed, it is generally believed, by his own troops.

On May 21, 1920, the Mexican Congress was convened for the election of a provisional President, and Adolfo de la Huerta was designated to fill the unexpired term of Carranza, which automatically ended November 30, 1920. By a diplomatic and magnanimous policy the warring leaders were for the time being reconciled and the long-existing internal troubles materially composed. The outstanding policy of provisional President Huerta was to break up the large landed estates as a means of solving the agrarian trouble which has always been an acute problem in the internal affairs of Mexico.

Gen. Alvaro Obregon was elected President and assumed office December 1, 1920. President Obregon industriously labored to restore normal conditions throughout the country, as rapidly as possible liquidate the public debt, regulate oil legislation, and guarantee alien property owners a square deal. Aggressively opposing the extreme red element, he expelled many foreigners who were engaged in Bolshevik propaganda in Mexico. He construed the Mexican constitution as not being retroactive in so far as it relates to the property interests of foreigners. The United States offered to recognize the Obregon administration

on condition that he would, in advance of such recognition, make certain guaranties in relation to American property interests in Mexico. This Obregon refused to do, insisting that it was beneath the dignity of a sovereign nation to submit supinely to humiliating conditions imposed by another nation as the price of recognition.

The constitution of Queretaro, adopted in 1917, declared the nationalization of petroleum. In 1922 the Mexican Government became involved in an acute controversy with the oil companies, many of which were of foreign ownership. The Mexican Government asserted that the provisions of the new constitution were not retroactive, while the oil companies insisted that in practical application constitutional provisions were retroactive and confiscatory. The contention of the Mexican Government was sustained by the Mexican Supreme Court. The oil companies refused to abide by the decision of the Mexican Supreme Court and the United States Government championed the cause of the oil companies and continued its refusal to recognize the Obregon government. A suspension of diplomatic relations between the United States and Mexico continued throughout the Harding administration.

On April 23, 1923, Secretary Hughes announced the appointment of two Americans and two Mexicans to meet at Mexico City with a view of reaching an agreement in reference to damages claimed by American citizens and in relation to the holding of oil and agricultural lands, the two American members of this commission being John Barton Payne and C. B. Warren. To this commission was committed the delicate task of harmonizing adequate guarantees of American rights with Mexican laws and sovereignty. On August 15, 1923, the commission signed a compact and on August 21 of that year the United States recognized the Obregon government.

On September 8 following, a general claims convention between Mexico and the United States was signed at Washington. In the latter part of 1923 the United States Government sold large quantities of surplus war equipment and material to Mexico.

Numerous revolts, most of them local, characterized the administration of President Obregon. These he quickly and vigorously suppressed and established throughout that Republic a degree of tranquillity similar to that which characterized the régime of Porfirio Diaz.

In the national election July 6, 1924, Gen. Plutarco Elias Calles was elected President by an overwhelming majority. He announced that he would endeavor to restore friendly relations with the United States Government and people. He professed his admiration for our people and institutions and stated that his chief aim would be to obtain for Mexicans economical and social conditions such as the people of the United States enjoyed. With respect to immigration to Mexico he said: "Anyone can enter Mexico for business or to work, provided he intends to act honestly and conform to the laws of the country." In October, 1924, he visited Washington and was received with enthusiasm as a national guest. He was inaugurated President December 1, 1924.

The economic policy of President Calles seems to be directed toward an equitable distribution of the national resources among all, and not a few, of the Mexican people, and the enactment of legislation that will restore to the public and to the ownership of the people vast regions of the public domain, the title to much of which had been acquired without the payment of any consideration, and sometimes by bribery, fraud, and corruption.

On March 20, 1925, President Calles, in discussing his future policies as President, said:

"We are trying to make the peasants economically independent, so that these poor men who have been in the condition of slaves until now may become free and enjoy a little more of the happiness which rightfully belongs to them."

Already under his administration approximately 5,000,000 acres of land have been distributed to 500,000 persons in pursuance of his agrarian policy.

I believe both his friends and enemies will admit that his administration of the financial affairs of Mexico has been economic and prudent, but his attitude toward religious organizations has involved him in controversy that has produced nation-wide discord and which seriously threatens his administration.

Moreover, the Mexican Government, under the direction of President Calles, is involved in an embarrassing controversy with the United States, growing out of the application of the Mexican constitution to oil rights and land titles of American and other foreign capitalists. It is not my purpose at this time to discuss the history or merits of these controversies.

Between 1821 and 1868 Mexico had a tumultuous history; scores of rebellions; the form of government was changed no less than ten times; two emperors, many Presidents and leaders of insurrections were shot; over 50 persons succeeded each other as President or dictator; and more than 300 pronunciamientos were issued against those exercising or claiming to exercise executive power.

These were not rose-water revolutions, but occasions of great tumult, disorder, and bloody butcheries. These revolts were not made or suddenly incubated, but they were the logical sequence of long continued and intolerable conditions. They came out of the grave abuses, economic wrongs, and social injustices of the past. Like all similar movements, if we would find their cause, we must not only consider contemporaneous conditions, but we must look back generations, sometimes centuries. In all ages, men in their struggle for freedom, for social justice, for equality of opportunity, and for greater participation in governmental affairs, have always been actuated by the same impulses, inspired by the same ideals, and dominated by the same passions.

Embezzlement of power, administrative abuses, corruption in high places, and social and economic injustice, if long continued, are inevitably followed by "the iron harrow of revolution which crushes men like the clods of the field, but in the bloodstained furrows germinates a new generation." If revolutions are the "larva of civilization" then, in view of the almost constant revolutionary conditions that have prevailed in Mexico during the last century, it would seem that that Republic is incubating an exceedingly unique type of civilization.

While many of these revolutions were led by honest, well-meaning, and patriotic men, whose consuming passions were to correct intolerable abuses and ameliorate the condition of the people, still on other occasions evil men, actuated by greed and unholy ambition, grasped power and in the name of liberty struggled to establish a despotism.

In this discussion I have not attempted to analyze the causes underlying the perpetual disorders that have so grievously afflicted Mexico since she became an independent nation after three centuries of Spanish misrule and despotism. I have only sought to record the outstanding events in the history of Mexico since Don Miguel Hidalgo, in 1810, raised the flag of revolt against Spanish rule, which movement, though unsuccessful, inspired subsequent activities that emancipated Mexico from the blight of Spanish exploitation and misrule. I have treated none of the historical incidents in detail. I have merely presented in chronological order the outstanding events in the history of the Mexican Republic, so that my colleagues, in studying the Mexican problem, may have before them my short story of "The Evolution of Mexico" and the struggle of that revolution-rent Republic toward stable self-government.

BILLS TO AMEND SECTION 83 OF THE JUDICIAL CODE, AS AMENDED

Mr. KIRK. Mr. Speaker, I ask unanimous consent to extend my remarks in the Record upon the bills H. R. 16471 and H. R. 16347, to amend section 83 of the Judicial Code, as amended, which bills have reference to the new district court of Kentucky.

The SPEAKER. Is there objection?

There was no objection.

Mr. KIRK. Mr. Speaker, the proposal for a new Federal court district is the result of a demand by all the people of the proposed district in Kentucky, regardless of politics or religion, a united effort to relieve a situation which is only understood by the people who live within the territory embraced in the proposed southern district and those living in close proximity to it. The territory included in the proposed district is wholly within what is known as the "mountains of Kentucky," covering a vast territory which is rapidly developing its coal, oil, gas, mineral, and timber resources, accompanied by a rapidly increasing population which in recent years has gone far beyond the imagination and prophecies of the pioneer capitalist, who, within the last 20 years, has opened up one of the greatest fields of industry in the United States.

Populous and prosperous towns and cities have sprung into existence within the last 20 years and schools and churches have been erected throughout this region, and the land of inactivity and desolation has become one of civilization, activity, and progress until the hum of industry is heard on every hand and the citizenship of that section is as refined, law-abiding, and patriotic as any place on the face of the earth.

The eastern district of Kentucky was created 25 years ago, before this section began to develop, and at a time when practically no business came from this section to the court then established. Oil and gas fields have since been developed, the coal fields explored and coal mines operated and coal marketed

to an extent not excelled by any other section in the United States; and it is certain that this section will continue to develop as time goes on, and new enterprises and markets will be opened in various ways in the near future; so that in order to give to this mountainous section of the State equal rights in the courts with the more favored section of Kentucky in the flatlands of the State it is necessary and of vital importance and is a pressing necessity that this district be created. The average distance that the witnesses and litigants are compelled to travel to reach a Federal court as now located is more than 100 miles. In more favored sections it is easier to travel 500 miles than 100 in the mountains of Kentucky, owing to bad roads and slow trains. It is near 60 miles from the county seat to the farthest edge of some of the counties in this territory.

The Big Sandy River with its branches, the Licking with its branches, the Kentucky with its branches, and the Cumberland with its branches, all head and rise within this territory separated by mountain ranges that can only be crossed on foot or mule back and can not be used even by a wagon, much less an automobile. To get out of one of these streams and on to another, the citizen must go down the river on a slow train to the forks or junction and likewise up the other stream—thus it is a hardship, as well as expensive to the Government and the citizens of this section to attend Federal court, as it is now arranged. Only one court is located nearer than the foothills and no courts within this, the real mountain section, where towns of from 600 to 8,000 in population suddenly sprung up and now dot every stream. The needs of the mountains 25 years ago are not to be compared with its needs to-day.

WHY ARE COURTS ESTABLISHED

Courts should be established to accommodate the citizens, including litigants, both civil and criminal, as well as the business needs of the country, so that the laws can be better enforced with the least expense. Courts are not intended to accommodate the judge and court officials alone, who are well paid for their services; their wishes should be secondary to the rights of the great masses of people comprising the public. If we carry this thought in mind, the wishes of the great common people should prevail and this district should be created.

Federal judges, as a rule, are opposed to letting loose and want to hold onto the districts where they have served. I am reminded that the then presiding judge, when the whole State of Kentucky was a single district, opposed the creation of the eastern district of Kentucky. The district over which that splendid old man, Judge Cochran, now in his seventies, now presides and is opposed, for sentimental reasons, to the creation of the proposed district, as was Judge Evans to the creation of Judge Cochran's district; but in the creation of Judge Cochran's district the people's rights were rightfully recognized, and the district created, notwithstanding the objection of the presiding judge.

DOES THE BUSINESS JUSTIFY CREATING THE DISTRICT

If the Members of Congress could only attend the opening of one court at the mouth of Big Sandy, or at the court seat on the Kentucky or Cumberland section, they would be greatly amazed to see the actual conditions that exist, with court room, corridors, and hallways jammed to the last inch of space and usually three or more bailiffs working shifts to relay calls for witnesses to all parts of the building and outside. If that could be experienced once by the Members of Congress there would not be any hesitancy about the passage of this bill. The litigation materially increases when courts are brought close to the people, and naturally increases with the development of the various industries such as are now taking place in the mountains of Kentucky.

POPULATION OF THE PROPOSED DISTRICT AND BUSINESS AS COMPARED WITH OTHER STATES

The following figures showing the population of Kentucky, the proposed southern Federal court district, and the States compared were taken from the 1920 census and the Congressional Directory of January, 1927:

The population of Kentucky was 2,416,630.

The population of the proposed Federal court district was 623,021.

With these figures we have the following comparisons:

The proposed southern Federal court district of Kentucky is more than eight times as large as Nevada with a population of 77,407.

It is three times as large as Wyoming with a population of 194,402.

It is two times as large as Delaware with 223,003 population.

It contains more people than either of the following States: Arizona, 333,903 population; Idaho, 431,866 population; New Mexico, 360,350 population; Montana, 548,889 population; Rhode Island, 604,397 population; New Hampshire, 443,083 population; Utah, 604,397 population; and Vermont, 352,528 population.

It is almost as large as Maine with a population of 768,014 and Oregon with a population of 783,389.

It is two-thirds as large as Florida with a population of 968,570, and Florida has two Federal court districts.

The eastern Federal court district of Kentucky has more civil and criminal cases on its docket and pays more fines to the Government than 37 States, and many of these States have two Federal court districts.

For the past several years more business has been transacted in the eastern district of Kentucky, criminal and civil, than in any other district in the United States having but one judge, and recently the criminal work in the eastern district of Kentucky has exceeded that of any other district in the United States, and many of them have several judges—the northern district of Ohio with three judges, the southern district of Ohio with two judges, Indiana with two judges, Tennessee with three districts and three judges, New Jersey with five judges, and the southern district of New York with six judges.

In the number of convictions in criminal cases for the fiscal year ending June 30, 1926, the eastern district of Kentucky led all the districts with 2,259 convictions. The cases, civil and criminal, to which the United States was a party are shown by the following figures, taken from the published reports of the Attorney General for the years 1909 to 1925, inclusive, and the figures for the fiscal year ending June 30, 1926, for the eastern district of Kentucky are included and will be in the published report of the Attorney General. Similar figures are shown for the western district of Kentucky.

For the purpose of showing a comparison between the work in the eastern district of Kentucky and other districts there is also submitted herewith data showing the number of civil and criminal cases to which the United States was a party in the various districts for the years 1923, 1924, and 1925:

Eastern district of Kentucky

Year	Civil		Criminal		
	Number of cases disposed of to which United States was a party	Amount of judgments entered for United States	Number of cases disposed of	Convictions	Amount of fines imposed
1909	12	\$3,153.23	397	71	\$33,045.00
1910	11	188.60	375	268	49,745.00
1911	33	841.00	565	324	47,807.19
1912	15	4,789.60	657	423	37,157.88
1913	49	2,850.00	651	443	39,839.24
1914	43	5,951.85	537	343	33,763.73
1915	54	3,900.00	545	369	29,613.82
1916	39	1,580.00	204	74	113,863.00
1917	57	5,850.00	516	371	36,610.00
1918	69	4,923.62	420	259	33,036.30
1919	38	7,538.86	377	244	75,985.56
1920	72	5,813.11	637	433	79,156.53
1921	100	9,782.21	744	588	65,560.07
1922	114	9,023.94	1,122	900	87,602.65
1923	147	10,690.05	1,904	1,675	246,656.63
1924	222	19,333.13	1,742	1,300	144,272.46
1925	257	26,292.85	2,304	1,972	213,757.95
1926	322	23,267.62	3,045	2,259	249,289.33

Western district of Kentucky

Year	Civil		Criminal		
	Number of cases disposed of to which United States was a party	Amount of judgments entered for United States	Number of cases disposed of	Convictions	Amount of fines imposed
1909	10	—	148	30	\$8,110.00
1910	6	\$385.58	147	90	19,980.00
1911	9	1,175.00	166	100	18,860.33
1912	32	1,975.00	150	73	7,961.64
1913	13	100.00	163	110	9,176.00
1914	49	8,850.00	204	141	10,549.21
1915	13	2,661.15	230	171	16,566.00
1916	30	2,754.19	177	117	13,605.78
1917	15	3,080.10	116	81	12,101.28
1918	6	1,276.95	203	149	13,733.68
1919	20	6,967.48	233	169	49,832.98
1920	78	3,095.17	262	185	24,368.74
1921	109	2,872.75	381	279	198,959.58
1922	65	4,689.66	481	419	71,507.52
1923	133	3,460.85	1,034	892	159,939.56
1924	33	1,622.68	1,023	799	185,818.25
1925	88	1,966.03	1,643	1,050	163,425.31

Above totals are taken with respect to fiscal year, viz: From July 1 to and including June 30 of succeeding year.

District	Year	Civil		Criminal		District	Year	Civil		Criminal			
		Number of cases disposed of to which United States was a party	Amount of judgments entered for United States	Number of cases disposed of	Convictions	Amount of fines imposed		Number of cases disposed of to which United States was a party	Amount of judgments entered for United States	Number of cases disposed of	Convictions	Amount of fines imposed	
Alabama, northern district.	1923	46	\$8,644.63	651	392	\$36,752.15	Minnesota	1923	521	\$33,062.23	837	683	\$147,650.99
	1924	30	1,079.00	697	503	37,340.6		1924	151	9,123.14	1,624	1,299	516,807.15
	1925	53	15,895.04	902	437	25,514.06		1925	276	7,941.81	1,290	1,074	255,204.00
Alabama, southern district.	1923	32	2,045.39	392	229	23,769.98	Mississippi, northern district.	1923	62	4,546.23	516	194	14,373.26
	1924	45	1,508.74	272	200	22,770.61		1924	32	800.00	188	97	7,749.12
	1925	35	5,407.00	368	257	22,215.28		1925	55	2,831.11	257	168	14,643.39
Alabama, middle district.	1923	7	468.35	80	57	4,245.95	Mississippi, southern district.	1923	22	1,150.00	379	147	19,752.19
	1924	50	2,875.00	97	70	2,470.00		1924	9	385.00	367	264	21,547.89
	1925	11	1,479.78	183	93	4,175.00		1925	35	385.00	379	224	15,816.73
Arizona	1923	18	3,353.00	736	557	74,232.76	Missouri, eastern district.	1923	101	6,140.25	937	807	165,940.23
	1924	17	11,336.87	816	606	118,377.45		1924	116	43,198.13	892	783	230,173.35
	1925	44	100.00	1,148	765	152,642.76		1925	119	86,454.72	1,043	943	382,831.06
Arkansas, eastern district.	1923	58	11,853.15	999	779	60,156.73	Missouri, western district.	1923	50	1,400.00	1,225	920	101,381.16
	1924	53	11,267.52	960	737	64,102.02		1924	114	3,384.90	923	635	122,653.22
	1925	44	5,806.44	931	728	39,340.00	Montana	1923	117	16,435.53	359	191	23,089.87
Arkansas, western district.	1923	23	1,109.41	326	242	15,128.52		1924	184	13,470.92	339	211	48,838.84
	1924	52	3,234.51	450	324	34,011.39	Nebraska	1923	189	26,757.08	779	641	135,033.00
	1925	18	1,934.10	449	300	63,031.00		1924	88	3,879.49	835	612	76,359.91
California, northern district	1923	304	11,234.59	2,794	2,400	493,450.00		1925	174	70,819.45	661	576	178,501.68
	1924	487	23,683.79	2,381	1,799	508,165.55	Nevada	1923	48	2,584.26	320	240	42,348.66
	1925	447	23,151.61	1,707	1,283	360,188.00		1924	90	4,328.89	347	304	76,425.01
California, southern district	1923	55	3,859.50	1,221	1,083	331,778.13	New Hampshire	1923	177	8,523.87	379	324	89,011.76
	1924	320	84,161.87	1,241	907	250,899.81		1924	58	676.94	266	247	43,574.89
	1925	200	94,522.64	961	689	105,735.04		1925	74	2,585.47	291	260	72,415.30
Colorado	1923	120	4,360.49	510	394	57,712.79	New Jersey	1923	195	401,081.51	1,185	815	130,883.00
	1924	50	1,587.92	396	300	57,525.22		1924	298	17,950.80	1,438	1,100	226,979.00
	1925	115	15,050.34	604	420	97,183.41	New Mexico	1923	899	115,222.07	12,138	1,137	301,446.00
Connecticut	1923	62	8,323.85	618	331	39,198.16		1924	28	10,057.32	355	254	38,602.43
	1924	60	2,885.25	159	141	16,873.19		1925	30	6,587.75	355	254	38,602.43
	1925	119	27,885.53	184	167	35,781.55	New York, northern district.	1923	456	51,099.16	861	755	353,800.00
Delaware	1923	73	1,714.97	81	73	7,276.00		1924	309	94,947.58	1,235	1,190	845,411.47
	1924	36	774.71	70	68	10,610.00	New York, eastern district.	1923	861	17,809.64	1,948	1,872	1,468,617.00
	1925	29	4,105.70	79	79	56,373.83		1924	232	56,326.75	1,032	926	104,000.00
Florida, northern district.	1923	17	4,850.00	182	109	8,031.52		1925	584	41,049.57	2,429	2,239	299,419.00
	1924	22	160.00	252	173	11,020.00	New York, southern district.	1923	628	48,941.71	2,022	1,809	318,479.00
	1925	9	2,650.00	298	197	14,028.63		1924	793	87,940.62	2,559	1,318	346,506.00
Florida, southern district.	1923	66	716.00	523	218	19,829.68		1925	611	1,170,752.89	6,616	3,327	488,972.02
	1924	136	28,618.00	528	190	25,833.50	New York, western district.	1923	116	67,490.79	710	499	87,538.96
	1925	86	39,629.26	354	234	23,431.00		1924	98	8,868.18	884	729	221,721.00
Georgia, northern district.	1923	490	16,068.00	1,291	746	50,190.00		1925	193	18,189.46	1,102	889	189,834.00
	1924	239	17,628.00	1,665	708	46,011.00	North Carolina, eastern district.	1923	100	17,726.08	801	469	36,531.72
	1925	368	14,551.80	1,189	899	38,508.00		1924	66	24,031.04	609	472	38,191.20
Georgia, southern district.	1923	82	2,903,010.72	982	766	97,823.68		1925	71	39,516.78	572	431	25,688.11
	1924	162	1,150,742.44	1,914	1,326	305,192.71	North Carolina, western district.	1923	155	3,981.42	1,181	774	85,786.43
	1925	178	29,767.67	1,294	792	77,826.16		1924	174	24,975.56	1,037	797	69,723.05
Idaho	1923	30	8,718.20	368	273	76,481.85		1925	211	16,063.10	1,250	955	97,075.90
	1924	24	3,280.82	486	351	122,051.90	North Dakota	1923	68	12,399.63	247	93	24,304.90
	1925	27	30,388.37	434	376	105,085.00		1924	40	5,853.18	120	59	5,045.97
Illinois, northern district.	1923	414	30,388.37	2,442	1,851	297,747.90	Ohio, northern district.	1923	202	75,067.20	813	673	121,262.75
	1924	1,006	95,884.43	1,537	1,285	519,764.04		1924	249	15,072.89	965	867	265,127.49
	1925	673	17,328.25	1,307	1,020	498,240.49	Ohio, southern district.	1923	390	18,854.64	1,752	1,101	261,771.15
Illinois, eastern district.	1923	34	8,142.07	648	437	147,695.80		1924	68	37,906.02	319	280	65,312.41
	1924	108	11,784.17	857	651	237,523.22	Oklahoma, eastern district.	1923	108	38,856.09	362	326	67,153.79
	1925	374	14,257.27	1,161	758	210,964.02		1924	108	7,591.17	454	408	67,428.73
Illinois, southern district.	1923	167	8,287.30	722	231	46,349.98		1925	73	17,688.08	1,216	955	95,168.03
	1924	171	13,230.43	498	263	82,426.43	Oklahoma, western district.	1923	76	152,480.29	1,110	955	114,864.53
	1925	244	6,432.00	658	472	166,035.60		1924	108	8,353.97	1,156	821	134,822.88
Indiana	1923	97	4,960.52	203	137	41,786.90	Oklahoma, northern district.	1923	122	11,994.73	634	468	38,157.00
	1924	73	10,432.51	283	246	104,602.97		1924	171	37,084.71	558	409	51,524.77
	1925	53	10,037.34	264	240	73,193.81		1925	149	18,712.96	683	544	69,885.50
Iowa, northern district.	1923	15	16,315.02	309	297	79,212.05	Oregon	1923	1		149	129	16,875.00
	1924	13	6,177.52	354	312	66,947.09		1924	79	3,527.05	454	386	59,958.00
	1925	27	5,865.17	288	266	56,087.18	Pennsylvania, eastern district.	1923	66	6,229.49	384	333	61,633.03
Iowa, southern district.	1923	15	2,487.50	514	374	165,855.00		1924	73	12,916.21	354	312	60,203.70
	1924	32	6,684.61	338	273	103,881.00	Pennsylvania, middle district.	1923	42	1,703.06	375	333	74,176.00
	1925	25	1,407.84	421	350	183,515.34		1924	51	7,600.00	234	188	38,073.00
Kansas	1923	88	3,715.31	181	126	21,145.84		1925	41	1,361.23	215	181	32,834.13
	1924	81	15,805.42	163	108	10,183.82	Pennsylvania, western district.	1923	230	80,199.80	458	322	85,290.02
	1925	131	60,955.96	153	132	12,493.75		1924	114	29,141.45	529	362	129,671.12
Kentucky, eastern district.	1923	147	10,690.05	1,904	1,675	246,656.63		1925	120	28,368.60	538	441	123,228.77
	1924	222	19,333.13	1,742	1,300	144,272.46							
	1925	257	26,292.85	2,304	1,972	213,757.95							
Kentucky, western district.	1923	133	3,460.85	1,034	822	159,939.56							
	1924	33	1,522.68	1,028	799	185,818.25							
	1925	88	1,966.03	1,643	1,050	163,425.31							
Louisiana, eastern district.	1923	87	29,192.00	1,085	918	81,805.00							
	1924	136	22,464.81	1,291	1,083	96,314.00							
	1925	121	14,662.91	613	427	43,170.06							
Louisiana, western district.	1923	53	2,080.97	230	108	12,301.80							
	1924	14	1,073.92	213	170	10,173.45							
	1925	37	5,343.00	226	183	20,560.04							
Maine	1923	45	1,762.49	453	205	59,710.99							
	1924	73	20,623.84	317	241	58,557.75							
	1925	74	7,347.44	429	300	63,662.06							
Maryland	1923	178	190,674.33	967	895	99,239.94							
	1924	202	103,305.91	1,289	1,203	114,160.98							
	1925	355	232,698.97	1,316	1,231	121,698.32							
Massachusetts	1923	254	24,892.51	928	549	80,433.74							
	1924	296	71,213.01	804	463	71,690.00							
	1925	543	176,343.17	6,512	902	133,708.88							
Michigan, eastern district.	1923	83	14,974.35	540	473	170,285.00							
	1924	218	15,175.35	979	700								

District	Year	Civil		Criminal		
		Number of cases disposed of to which United States was a party	Amount of judgments entered for United States	Number of cases disposed of	Con- vic- tions	Amount of fines imposed
Rhode Island.....	1923	80	\$64.85	261	182	\$26,027.00
	1924	59	6,512.44	319	216	48,770.50
	1925	100	22,558.75	665	460	122,965.00
South Carolina, eastern district.....	1923	44	871.89	471	393	106,166.43
	1924	47	118,243.74	484	348	162,981.87
	1925	60	4,280.12	454	369	40,858.53
South Carolina, western district.....	1923	74	11,610.00	547	402	176,661.01
	1924	41	11,210.00	501	349	158,752.89
	1925	44	4,977.40	556	412	206,993.85
South Dakota.....	1923	27		174	143	53,418.74
	1924	22	6,088.81	163	129	16,819.30
	1925	46		251	168	22,700.00
Tennessee, eastern district.....	1923	65	5,116.82	549	408	61,857.45
	1924	237	21,720.93	725	577	83,150.87
	1925	306	46,116.34	1,392	1,158	158,186.44
Tennessee, middle district.....	1923	40	28,152.61	582	404	57,636.99
	1924	90	659,739.92	1,134	859	80,149.32
	1925	183	10,699.66	1,295	979	72,133.30
Tennessee, western district.....	1923	66	19,764.88	607	458	102,169.76
	1924	94	28,371.19	471	332	97,748.91
	1925	94	26,832.06	590	374	90,156.90
Texas, northern district.....	1923	55	2,600.00	1,224	662	177,899.21
	1924	102	54,718.59	820	549	281,887.05
	1925	111	8,589.30	852	530	70,497.16
Texas, eastern district.....	1923	75	15,949.40	658	569	49,402.11
	1924	140	11,775.94	671	503	61,272.12
	1925	75	9,718.12	452	341	45,238.79
Texas, southern district.....	1923	153	534,558.37	833	694	122,172.84
	1924	139	70,555.97	533	425	193,218.44
	1925	117	36,095.42	635	495	117,818.61
Texas, western district.....	1923	237	83,222.00	1,873	1,573	189,794.00
	1924	194	53,258.39	1,512	1,314	176,333.00
	1925	177	32,693.59	1,810	1,500	143,921.00
Utah.....	1923	17	152.00	446	186	21,645.51
	1924	44	309.79	213	144	11,715.01
	1925	43	5,717.64	320	117	8,070.00
Vermont.....	1923	6	309.00	99	82	11,021.00
	1924	11	20,600.00	217	155	29,161.13
	1925	46	34.30	342	238	45,176.10
Virginia, eastern district.....	1923	273	408,001.00	666	448	18,792.00
	1924	221	59,768.00	537	363	62,699.00
	1925	153	135,240.00	543	439	15,126.00
Virginia, western district.....	1923	238	12,393.04	310	195	30,817.62
	1924	159	16,327.75	271	182	34,695.61
	1925	166	6,138.53	217	146	25,391.23
Washington, eastern district.....	1923	40	8,851.42	180	141	31,171.40
	1924	27	1,437.31	292	231	42,825.00
	1925	44	10,069.76	223	180	23,426.00
Washington, western district.....	1923	159	23,677.33	704	520	103,207.01
	1924	234	64,370.93	762	607	127,816.88
	1925	286	547,585.58	735	565	178,923.57
West Virginia, northern district.....	1923	21	3,049.59	511	417	109,786.26
	1924	24	1,632.00	551	373	99,135.01
	1925	43	3,319.17	570	489	76,797.55
West Virginia, southern district.....	1923	96	58,249.61	1,253	960	110,838.24
	1924	134	35,724.67	1,443	1,059	164,657.76
	1925	181	52,873.57	1,611	1,277	56,228.84
Wisconsin, eastern district.....	1923	36	58,968.80	92	66	18,950.00
	1924	33	256.74	163	118	39,390.00
	1925	44	1,947.95	245	150	80,545.00
Wisconsin, western district.....	1923	44	217.70	226	86	19,698.91
	1924	28	700.00	197	149	28,111.00
	1925	14		148	103	21,963.00
Wyoming.....	1923	11	6,458.95	309	253	40,171.85
	1924	28	7,003.70	237	162	26,280.00
	1925	29	10,389.67	375	203	40,370.00

The increase in the work is shown by the above figures. In 1909 12 civil cases to which the United States was a party were disposed of, and this character of cases increased to 322 in 1926. In 1909 the sum of \$3,153.23 was adjudged to the United States in civil suits to which the United States was a party, and in 1926 the sum of \$23,267.62 was adjudged to the United States in such cases. In 1909, 397 criminal cases to which the United States was a party were disposed of, and in 1926, 3,045 such cases were disposed of. In 1909 there were 71 convictions in criminal cases and in 1926 there were 2,259 convictions in such cases. In 1909 the amount of fines in criminal cases was \$33,045, and in 1926 these fines amounted to \$249,289.33.

The number of civil cases disposed of in the eastern district of Kentucky to which the United States was not a party, common-law, equity, and bankruptcy, and the increase in such

business are shown by the figures taken from the published reports of the Attorney General for the years 1909 to 1925, inclusive. These figures are as follows:

Eastern district of Kentucky

CIVIL LEASES¹

	Number of cases commenced to which United States was not a party	Number of cases terminated to which United States was not a party	Number of cases pending to which United States was not a party
1909.....	290	276	372
1910.....	305	251	384
1911.....	471	275	575
1912.....	181	169	1,252
1913.....	307	251	406
1914.....	300	340	541
1915.....	440	378	586
1916.....	364	319	560
1917.....	331	357	520
1918.....	198	124	571
1919.....	199	189	564
1920.....	251	258	656
1921.....	348	256	617
1922.....	452	352	751
1923.....	521	387	709
1924.....	521	403	771
1925.....	641	570	

¹ No bankruptcy cases are shown in the Attorney General's report for 1912 and 1918.

The United States cases and the litigants in civil suits to which the United States is not a party are at great expense in bringing witnesses, jurors, and parties interested from the Pikeville territory to Catlettsburg court, and the same thing applies to Somerset, Pineville, Paintsville, and Hazard, and the counties in the vicinity of these cities.

The railroad connections are such that it takes one day for such witnesses to get to Catlettsburg, and should the case be tried on the succeeding day, and the witness returns the next day, such witness has been away three days. Witnesses are paid for the time necessary in traveling to and from court. This is placing it at the minimum time. Because of the crowded condition of this docket, witnesses are usually required to stay at court two or three days or longer in criminal cases. The witness fees are 10 cents per mile—5 cents each way—and when the witness stays overnight \$5 per day, and if such witness is not required to stay overnight \$2 per day. There is an average of four witnesses to each criminal case in the eastern district of Kentucky. Each witness from Pikeville and in that immediate territory now costs the United States \$10.50 mileage and (three days, \$2 per diem and \$3 subsistence) \$15 per diem and subsistence, making a total cost of \$25.50. Four witnesses to the case would make the cost \$102 in each case for witnesses. Approximately 200 cases from this territory each year will make this item cost the United States \$20,400 per year, and a like sum in other territories, amounting to over \$100,000. This mileage will be saved to the United States if a court is established at the places designated in this bill, and the per diem and subsistence, except the \$2 on each witness, will be saved in nearly every instance, because the witness can return to his home without using an extra day to get to court and an additional day to get back home.

A similar cash saving can be shown in civil cases where the United States is not a party and where the expenses must be borne by the parties to the litigation.

In equity and bankruptcy matters, and in common-law and criminal cases where litigants wish to appear before the court, and the court is not in session at Catlettsburg, they must go to the official headquarters of the court and the court officials at Covington, Ky. When they so appear they are required to travel about 255 miles, according to the mileage tables used by the United States. This is a great expense and inconvenience to the parties.

Without going into details relative to each court, we quote the mileage required for such travel from each place. It is as follows:

	Miles
Paintsville to Catlettsburg, approximately.....	55
Paintsville to Covington, approximately.....	200
Pikeville to Catlettsburg.....	105
Pikeville to Covington.....	255
Harlan to London.....	85

	Miles
Harlan to Covington	254
Pineville to London	45
Pineville to Covington	215
Whitesburg to Jackson	88
Whitesburg to Covington	253
Hazard to Jackson	45
Hazard to Covington	210
Somerset to Lexington	80
Somerset to Covington	164

The above data has been compiled and is submitted with the view of showing the tremendous amount of business transacted in the United States courts in Kentucky and the necessity of the proposed legislation. The location of the counties involved, the distances of travel, and expenses incident thereto, show that the only practical solution of this question is the creation of an additional district.

The division of the State of Kentucky into three districts as proposed in this bill will be a fair division of the State, considering the business, number of counties, and population of each.

Creating the district will be a saving to the Government.

It is fair to assume that there will continue to be as many as 3,000 cases per year; that four witnesses will attend for the Government. The cost of each witness is estimated at \$25 in each case; the cost to the Government for four witnesses is \$100 for each case. For 3,000 cases it would be one hundred times that, or \$300,000. A saving to the Government by creating the new district and reducing mileage would not be less than one-third this sum, or \$100,000. On account of the long delay between courts, prisoners are confined in jail awaiting trial. Of the 3,000 defendants, we assume 1,000 of them go to jail to await trial. With courts at six-month intervals, the present stay in jail is about four months. With the new district created, the stay in jail will be reduced to approximately two months, and the Government would be saved two months' dieting of 1,000 prisoners—the Government pays 75 cents per day per man for subsistence of these prisoners, or \$750 per day, or a total of \$45,000 per year saving to the Government.

Another item is traveling of prisoners to courts for trial. It is noted above that the territory in question is an average of about 100 miles from present courts, and most of these 1,000 prisoners, with accompanying officers, must cover; that average distance from various jails, to be brought into court, averaged at the railroad rate of 3½ cents per mile, makes \$3.50 per man one way, or \$3,500 per year, and most of them must be returned to jail. So that a total estimated saving from this source of \$5,000 per year seems entirely safe. Plainly this saving on travel expenses of witnesses alone will much more than balance off the total extra costs of the new district and courts in any and every fiscal year. Yet there will be some further saving on travel of officers, by shortening long distances of travel, of about \$8,000 per year.

In addition, the fines and forfeitures, by reason of bringing the courts to the immediate localities, will be increased by many thousands of dollars, at a conservative estimate \$50,000 per year or more. Because of the locations of the present United States commissioners and United States deputy marshals, there should not be any additional costs on account of these offices, for the present at least.

The creation of the new district and courts is a paying proposition financially to the Government, assuring a net saving to the Government in operating costs of from \$50,000 to \$75,000 per year, and no extra appropriation necessary to put it into effect immediately. Provision has already been made in the Budget for the present district on the present basis of long distances to travel, insufficient courts, and so forth, and the net result of establishing the new district and courts, so far as the Government is concerned, will be to turn a substantial part of the present appropriation back into the Treasury.

It is also true that civil litigation in the eastern district of Kentucky has increased both in volume and importance with as great speed as has the criminal side. The point is reached that the court strains every effort and every bit of his great experience and ability to try to cope with it, but this is also done at heavy extra expense, trouble, and time to litigants in various ways. It is a very important matter to both court and litigants to lighten this heavy burden upon them. Particulars of this will not be discussed now, but this situation, with others which will be referred to immediately, explains the tremendous universal interest in this proposal all over the territory comprised in the new district.

Another factor is to be noted in the criminal trials. From 500 to 700 of these defendants are shown to be acquitted per year. To get their acquittals they must take their witnesses

and attorney to court. The long distances involved throws an extra heavy burden on them, and they are usually poor men. Their cases are the result of mistakes; those men are entitled to real consideration at the hands of the Government, and this is a strong reason why this bill should pass. Whether the guilty defendants deserve sympathy or not, the extra heavy expense on many of them is a factor to their families where they are poor, and most of them are in this section. There are no gilded bootleg kings in the mountains of Kentucky, where most travel is difficult enough, at best.

AVERAGES IN NATION

The records show that, in the fiscal year 1925, there was a total of about 38,000 convictions in the United States, of which the eastern district of Kentucky, with one judge, contributed 1,970 or about one-twentieth of the total, as there are about 100 districts in the United States, and about 150 judges. So, the average number of convictions per district is less than 400, and the eastern district of Kentucky contributed more than five times the average per district in the United States. The amount of fines in the United States for the year 1925 was \$7,680,000 and the eastern district of Kentucky contributed \$213,750 of that, while the approximate average per district in the entire United States was \$75,000. During all this time the increase and volume of civil litigation has kept well up with this tremendous growth of criminal business in the eastern district of Kentucky.

LOCATIONS OF NEW COURTS

Placing the new courts at Somerset, Pineville, Hazard, Paintsville, and Pikeville is the unanimous conclusion of all who study that matter carefully and from a purely practical viewpoint to assure the greatest efficiency and convenience of the courts and economy to the Government, and citizens.

All these towns have concrete paved streets and water, sewerage systems, and fire departments excelled by none in the State; hotel facilities of the best, and adequate for every need, all of which are important incidentals. The county court room and facilities are tendered by the fiscal court of these counties for holding Federal courts, without charge.

CAN THERE BE ANY HESITANCY OR RIGHTFUL OPPOSITION TO A MEASURE THAT SO EFFECTIVELY FURTHERS THE PRESIDENT'S GREAT POLICY OF ECONOMY, BOTH TO THE GOVERNMENT AND LITIGANTS, IN EVERY MATERIAL WAY?

An additional judge would not meet the requirements because the courts when located at the points mentioned in the bill, could not be accommodated by the marshals, clerks, and district attorney, because the district attorney and his assistants occupy all their time with work as laid out at present and could not attend to the business of the courts at the new courts located by this bill. Besides, it would be absolutely impossible for the presiding judge to hold 10 additional terms of court per year in excess of the 14 terms he now holds.

The docket is congested in the eastern district of Kentucky. If all the criminal cases were tried by a jury that were docketed for 1926, numbering 3,045, the jury could try on an average of 3 cases per day and 1,015 days would be necessary to dispose of one year's business. If the 322 civil cases on the civil docket for 1926, in said district, were tried by a jury, at least one day would be consumed in the trial of each case, it would require 322 days to try them, making a total number of days actually required to try both criminal and civil cases in the eastern district of Kentucky for one year, 1,337 days, assuming one could hold court 300 days per year, it would require over four years to try the cases actually docketed for 1926, which would be an impossibility. And it is fair to assume more business will accumulate and longer time will be required to dispose of the cases as development continues in that section of Kentucky.

HOW IS THIS CONGESTED CONDITION TAKEN CARE OF NOW?

With the crowded docket the only hope to keep abreast with the work is to compromise cases and enter agreed judgments and thus prevent a trial, and this is the course necessary to follow in order to prevent a congested docket. This method is objectionable because it denies both sides a trial by jury, and many a plea of guilty is entered under duress, and the defendants, on account of poverty and inability to keep their witnesses at court, enters a plea of guilty as a matter of expedience, as the cheapest way out, by agreement with the district attorney. By this method the Government is forced to compromise cases and take fines for less than it should, because this is the only method of reaching the cases.

I submit that this Government should provide for the trial of cases in an orderly, legal way, so that a full hearing may be had and the rights of all protected without concession or oppression, and the Government, after paying the salaries for the new officers, will have something like \$30,000 per year to its credit if this district is created.

The tremendous amount of business done, the unusually large expense incident thereto, the convenience of litigants, witnesses, jurors, attorneys, and parties interested require the establishment of the proposed additional district.

Responding to the resolutions opposing the district, I desire to say:

Boyd County opposes this measure for a selfish reason. All Big Sandy counties come out to Boyd County to Federal court at Catlettsburg. They spend their money and do their shopping while there, and, in fact, Boyd County has subsisted off of the Big Sandy people for 50 years, and yet, for fear they will lose a few dollars in hotel bills and trade, they oppose this bill, which is the dream of the mountain people, regardless of politics, and by defeating this measure they will continue to force these mountain people to come out to the Ohio River, suffer great expense, ill convenience, hardships, and oppressions for the sake of a few paltry dollars.

I insert a clipping from the Pike County News, dated January 27, 1927, which states the position of the mountain people.

The Louisville bar, who are opposing this measure as an ally of the Courier Journal, which has always oppressed and despised the people of the mountains of Kentucky on account of the political complexion of that section of the State, who have filed a brief in opposition, in which they admit the relief is needed, but oppose the district and want to substitute for a district an additional judge, with one of the Louisville lawyers the judge, I presume. This would not give relief. The places of holding court as fixed in these bills bringing them closer to the people with judges and court officers who are familiar with the situation can and will bring the needed relief, and it can be had in no other way except to create the new district.

The clipping is as follows:

PIKEVILLE ATTORNEYS ARE MISREPRESENTED—STRENUOUSLY OBJECT TO STATEMENT MADE BY LOUISVILLE COURIER-JOURNAL REPRESENTATIVE—MOUNTAIN PEOPLE UP IN ARMS OVER TREATMENT ACCORDED THEM BY PAPER

There is one community in the great State of Kentucky which stands as a unit in an antagonistic feeling toward the Louisville Courier-Journal in the fight that that newspaper is making and has made against the eastern part of the State and which seems to have culminated in the stand which that journal is taking against the establishment of a new Federal court district in Kentucky. That community is Pikeville. The people on the street, in the business houses, and in the offices are loud in their condemnation of that paper's attitude in this matter, and are not backward in advancing the opinion and belief that the Courier-Journal is against anything which will improve conditions or affairs in the mountain district.

Pike County lawyers have expressed themselves in no uncertain manner, as shown by the following communication addressed to the Courier-Journal. Messrs. A. F. Childers, W. W. Barrett, and W. A. Daugherty, in a letter to the Louisville Herald-Post, make out a strong case against the Courier-Journal. A copy of this letter is also herewith produced. Never have people been so aroused, and it appears that this establishment of a Federal court and the animosity shown by the Courier-Journal is the straw which broke the camel's back, and that the people of eastern Kentucky are ready to make a vigorous fight to see whether or not they have any rights on the face of the earth; whether the western part of the State is to exclusively enjoy all modern conveniences at the expense of the eastern part, while this part must be satisfied to travel on muddy trails hardly passable on horseback and have any move for betterment in conditions here strenuously fought by the Courier-Journal and its friends.

PIKEVILLE, Ky., January 24, 1927.

The COURIER-JOURNAL,
Louisville, Ky.

GENTLEMEN: On the 22d instant your paper carried an article stating in substance that the attorneys of the Pike County bar were opposed to the establishment of a new Federal district in Kentucky on the grounds that it would deprive this section of the services of Judge Cochran, the present judge in the eastern district of the State.

The undersigned members of our bar in answer to this statement would make it known:

That the people of the mountains of this State are not dissatisfied with the services of Judge Cochran; he has been a faithful and able judge, but no doubt there are many others who can serve us equally as well.

Judge Cochran's ability as a judge has nothing to do with the expense and inconvenience of the people in getting before him.

The people of this section are unanimous for this measure, and their claim is founded upon simple justice. Nothing will suffice but the establishment of a new district, and any rumor to the contrary is against the sentiments of our people.

W. K. Steele, president Bar Association; W. A. Daugherty, attorney; W. W. Barrett, attorney; A. F. Childers, attorney; W. W. Reynolds, attorney; W. K. Elliott, attorney, Pikeville, Ky.; Frank P. Damron, attorney, Pikeville, Ky.; W. E. Stratton, attorney, Pikeville, Ky.; Roscoe Vanover & Sons, attorneys, Pikeville, Ky.; Alex L. Ratliff, attorney, Pikeville, Ky.; P. B. Stratton, attorney, Pikeville, Ky.; Zach Justice, attorney, Pikeville, Ky.; J. P. Hobson, Jr., attorney, Pikeville, Ky.; J. F. Hudson, attorney, Pikeville, Ky.; E. B. Stephens, attorney, Pikeville, Ky.; J. A. Runyon, attorney, Pikeville, Ky.; J. M. Bolling, attorney, Pikeville, Ky.; S. M. Cecil, attorney, Pikeville, Ky.; E. E. Trivette, attorney, Pikeville, Ky.; E. J. Picklesimer, attorney, Pikeville, Ky.; H. Pauley, attorney, Pikeville, Ky.; O. T. Hinton, attorney, Pikeville, Ky.; J. R. Johnson, attorney, Pikeville, Ky.; J. J. Moore, attorney, Pikeville, Ky.; L. J. May, attorney, Pikeville, Ky.

PIKEVILLE, Ky., January 24, 1927.

To the LOUISVILLE HERALD-POST,

Louisville, Ky.

We want to know if you can tell us what the Courier-Journal has against the people of the mountains of Kentucky. A few years ago a bond issue was proposed and presented to the people for approval, to the end that the State, and especially the mountain counties, might have a system of public highways. That proposition was fought and defeated by the Courier-Journal. Consequently, the development of the State, and more particularly the eastern portion thereof, was given a setback it will not overcome in the next generation.

Now, then, we have a bill pending in Congress, establishing a new Federal district in eastern Kentucky. Again the Courier-Journal goes for miles out of its way to oppose the establishment of this district. If it was of any advantage whatever to the Courier-Journal or the city of Louisville to defeat this measure, we would accept its opposition as a worthy foe and go ahead. But so far as we can see, it is moved by no other influence than to see that eastern Kentucky gets nothing. It is not a question of whether it will help Louisville, but it will hurt the mountains of Kentucky. That is the question of prime importance. Why this spirit of vengeance, animosity, and hatred that flares up every time the people of the mountains seek to make one step forward. But Courier-Journal or no Courier-Journal, the people of these hills are coming to the front. The purest Anglo-Saxon blood in the New World is here, and the puny arm of the Courier-Journal can no longer bar the march of progress. Congress can no doubt see through smoke screen of misrepresentation and deception played by a hostile paper, not for its own convenience but laid as a snare at the feet of those upon whom it would wreak vengeance.

We can not believe that the attitude taken by this paper toward this section of the State is representative of the city at large. Undoubtedly there are a great many good people in so large a city that are willing that righteousness should prevail; that in all parts of the State her citizens should have an equal chance before the law.

On the 22d instant the Courier-Journal carried a statement in reference to this proposed bill, which in effect said that we lawyers of the Pike County bar were opposed to any change that would deprive us of the service of Judge Cochran. We have no fault to find with Judge Cochran. We are not looking for a better judge, but what we want is a chance to get before the court. It matters not how able the court may be, if one can not get before him there might as well be no court. Down in the Blue Grass there is not a place in the State in which a litigant can not reach a Federal court in an hour or two. From Pikeville it takes two days to appear at the nearest Federal court and return. And that at an expense of not less than \$25. This bill proposes a court for Pikeville, Paintsville, Hazard, Pineville, and Somerset. It would not be necessary, as the Courier-Journal would infer, to cross high mountains, through the wilderness, traversing sheep paths, to reach the courthouse. But the court would be in easy reach of all.

We address this to you, hoping that you will see the justice of our cause and be moved by your passion for a square deal to see that we are not imposed upon by a hostile paper.

A. F. CHILDERS.
W. W. BARRETT.
W. A. DAUGHERTY.

URGENT DEFICIENCY APPROPRIATION BILL

Mr. WOOD. Mr. Speaker, I ask that the Clerk report the first amendment in disagreement.

The SPEAKER. The Clerk will report the first amendment in disagreement.

The Clerk read as follows:

Page 4, after line 23, insert:

"OFFICE OF THE SECRETARY

"The action taken by the Secretary of Agriculture in using not exceeding \$253,000 of the unexpended balance of the appropriation of \$3,500,000 contained in the second deficiency appropriation act, fiscal year 1924, approved December 5, 1924 (43 Stats. p. 682), for the eradication of foot-and-mouth and other contagious diseases of animals, for the purpose of making loans, under rules and regulations of the Secretary, to owners of crops and livestock damaged or destroyed by hurricanes in the State of Florida during September, 1926, and for traveling and other expenses incurred incidental thereto, is hereby approved and credit for funds so disbursed shall be allowed in the settlement of the accounts of the disbursing officers of the Department of Agriculture: *Provided*, That a further sum of \$12,000 from the same appropriation is hereby made available until June 30, 1928, for necessary expenses in handling such loans and making collections thereon."

Mr. WOOD. Mr. Speaker, I move that the House recede and concur in the Senate amendment.

Mr. BYRNS. Mr. Speaker, will the gentleman yield me five minutes?

Mr. WOOD. Mr. Speaker, I yield five minutes to the gentleman from Tennessee.

Mr. BYRNS. Mr. Speaker, I have no doubt that this amendment will be adopted, but I rise to enter my very earnest protest against the action which prompted request for ratification upon the part of Congress. Congress has several times made very liberal appropriations for the eradication of the foot-and-mouth disease. As we all know, last summer or fall a great hurricane occurred along the coast of Florida. It resulted in the loss of much property and the loss of life, and considerable suffering. I recall that the Governor of Florida on that occasion made a statement, which was broadcast throughout the country, that he did not even propose to call on the Red Cross for relief. He said that Florida would take care of herself. However, it seems that, acting under the authority of the President of the United States, the Secretary of Agriculture, without the slightest authority of law, took from the appropriations for the foot-and-mouth disease \$253,000 and loaned it to farmers in Florida for the purpose of buying seed. There was not the slightest authority of law for doing that. The money was appropriated by Congress for a specific purpose. Merely because there was a million or more dollars in that fund did not authorize the President of the United States or the Secretary of Agriculture to use that fund for purposes other than those provided by Congress. If that sort of practice is to be pursued, then Congress may just as well cease its function in undertaking to designate where money shall be spent and resort to the practice of appropriating a great lump sum of \$4,000,000,000 or more and leaving it to the executive departments to say how it shall be expended.

This is a Government of law, and all officials, high or low, no matter who they may be, should observe the law. [Applause.] I care not who made the order. It was illegal and improper, and yet now after the money has been loaned, after this improper and illegal use has been made of the money, Congress is asked to ratify and approve it. It is because of that action that I rise to enter my very earnest protest.

Mr. GREEN of Florida. Will the gentleman yield?

Mr. BYRNS. I yield.

Mr. GREEN of Florida. Does not the gentleman realize this was an emergency and required action at that time and that they could not wait for Congress?

Mr. BYRNS. Well, I do not know. This unlawful diversion of public funds was made two weeks or more after the hurricane; I can not see that there was an emergency. I know the governor of the gentleman's State, according to the newspapers, said he was not even going to ask the Red Cross—

Mr. GREEN of Florida. The gentleman got that from the newspapers.

Mr. BYRNS. I have not heard that it was contradicted.

Mr. GREEN of Florida. Other people stated that—

Mr. GARNER of Texas. Suppose it was an emergency. Is the President of the United States authorized to take out of the Treasury money without the consent of Congress and appropriate it for any purpose he sees fit?

Mr. BYRNS. By no means; and it is because of his action in taking money appropriated for one purpose and utilizing it for another that I am making this protest.

The SPEAKER. The time of the gentleman has expired.

Mr. BYRNS. May I have five additional minutes?

Mr. WOOD. I yield the gentleman five additional minutes.

Mr. BLANTON. Will the gentleman yield?

Mr. BYRNS. I will.

Mr. BLANTON. And when we approve that we become simply rubber stamps?

Mr. BYRNS. Absolutely. If we permit the Executive of this country to determine that funds appropriated for one purpose shall be utilized for another, then we had just as well appropriate the money in a lump sum and permit the Executive to use it as he pleases. Now, my friends, I sympathize with the people of Florida. I never have objected to an emergency matter where people were actually suffering, where tents and supplies had been granted by the War Department and other departments of this Government for the relief of the starving and suffering. This money was used to loan money to the farmers for the purpose of buying seed. I know there have been several precedents, but those precedents were established by Congress, the only department in this Government which has a right to appropriate funds. I opposed that at the time because I have always questioned very seriously the constitutional right of Congress to appropriate money for such purpose—

Mr. BLANTON. Will the gentleman yield?

Mr. BYRNS. I yield.

Mr. BLANTON. And is not the wrongdoing emphasized by sticking this kind of a ratification in a deficiency bill in conference by some other body without coming to the proper committee for approval?

Mr. BYRNS. Well, it was sent up by the Budget and, of course, the Budget acts for the President primarily; and, of course, it was necessary to stick it in some bill because the Comptroller General of the United States will not pass the account, and they can not get credit for the money taken from that appropriation unless Congress by formal act approves and ratifies it.

So far as I am concerned I do not believe Congress ought to permit this sort of practice. I do not believe Congress should be a party to that sort of action. I think we ought to express our protest against it and let the officials of this Government, high or low, understand our opposition to the Executive authority unlawfully diverting funds for any purpose. I wonder what the gentleman from Indiana, who makes this motion, would have to say if this was done by anybody else except the President of the United States? Suppose some official down here in the department had done this. I imagine there is no gentleman upon the floor who would have protested more strongly than the gentleman from Indiana. The President of the United States had absolutely no more authority to do this than the Secretary of Agriculture, and the Secretary of Agriculture no more authority to do this than the head of some bureau. It is for that reason I am protesting. [Applause.]

Mr. WEFALD. Was there any other way by which those farmers could have been helped?

Mr. BYRNS. I presume so. Florida could have done just as they did in my town, where there was much suffering and people driven from their homes on account of the flood, and the people of Nashville went down in their pockets and raised \$85,000 or more to relieve the suffering and did not call upon Congress or the Government to do it. But I would not object if it had been necessary to relieve suffering or save life. But this was not the case. It was a loan for the future, not to relieve a present emergency—a business proposition, not an act of relief in time of an emergency.

They may tell you that they are going to get the money back. But look at the record of the loans made in the Northwest. We are carrying an appropriation for \$12,000 to provide for an office to be established in Florida to collect the money—and good jobs for somebody. I predict that when the final records are shown it will appear that the Government will not have gotten back 50 per cent of it. [Applause.]

Mr. WOOD. Mr. Speaker, I desire to state to the House the facts that led up to the making of this loan of \$250,000 to the flood sufferers in Florida. It is admitted that there was no warrant of law for this loan, except the warrant of necessity.

Mr. GARNER of Texas. I understand the gentleman to admit that there was no authority of law for taking this money and loaning it to these people?

Mr. WOOD. Only the law of necessity and the law of humanity.

I hold in my hand a list of more than 200 precedents, some of them very similar to this. To some of them I will call your attention in order that you may know that there is nothing exceptional in this transaction. You will all recall that they had a terrible devastating flood in Florida in the month of September last. It absolutely destroyed thousands

of homes and thousands of farms and left destitute thousands of men who were engaged in agriculture and the gardening business in that State. An appeal was made to the Department of Agriculture to see if some temporary relief might not be had, because they were in immediate need of seed with which to plant their crops in a seasonal time, whereby they might have a chance to mature new crops and help themselves out of their dilemma. The Department of Agriculture, realizing the fact that it had no authority upon which it might base its action in making this loan, appealed to the Budget. General Lord, representing the Budget, called up the chairman of this committee [Mr. MADDEN] over the long-distance phone and stated the facts and the necessity existing, as those facts had come to him through the Department of Agriculture. The chairman of the committee, in sympathy with the people of Florida, in sympathy with the desire of the Department of Agriculture and the recommendation of the Chief of the Budget, gave his assent that it might be done, and stated that he would ask for a ratification of the act.

Mr. BLANTON. Mr. Speaker, will the gentleman yield right there?

Mr. WOOD. I yield.

Mr. BLANTON. Why did not my friend from Illinois [Mr. MADDEN], the distinguished chairman of the committee, put this in his bill when he reported it out of committee?

Mr. WOOD. I will state the reason why it was not put in. It was under consideration at that time, and would have been put in but for the fact that two members of the committee raised an objection at that time.

Mr. BLANTON. Because it was subject to a point of order?

Mr. WOOD. No. That was not the reason. I think the gentlemen who served on the committee, Mr. BYRNS and Mr. BUCHANAN, will substantiate what I say. It was cut out for the reason that the chairman of the committee was confined by illness to his room, and it was at the suggestion of Mr. BYRNS and Mr. BUCHANAN that it was cut out at that time.

Mr. BLANTON. Because it would have been subject to a point of order?

Mr. WOOD. No doubt it would have been subject to a point of order.

After these communications between the Chief of the Budget and the Secretary of Agriculture and the chairman of the committee this loan was made out of appropriations for the eradication of the foot-and-mouth disease. Those destitute farmers and gardeners down there, 900 of them in number, were the beneficiaries of this loan. All of them have given their notes for repayment and such security as they were able to give, and we are informed that the security in most cases is ample.

Now, as I say, this is not the first time this thing has happened. It has been happening ever since this Government commenced. It will continue to happen as long as the law of humanity dictates to the consciences of men.

I want to call your attention to some of the late cases. The Secretary of War made a loan of this character directing expenditures for the repair of damages caused by floods in Arkansas, and in providing sanitary measures in Pueblo, Colo., approved in the second deficiency act of March 20, 1922; also the action of the President in directing the use of Army supplies for the relief of sufferers from storms and floods at Corpus Christi, Tex., also in the second deficiency act approved March 20, 1922; the action of the United States in directing the issuance of farming supplies for the relief of sufferers from the Japanese earthquake in 1923, which was approved by Congress in 1925.

Back in 1913, under the Wilson administration, an act was passed extending aid through various appropriations, and funds appropriated for the improvement of rivers and harbors were diverted from that appropriation for the purpose of relieving sufferers from floods in Mississippi.

Mr. CHINDBLOM. Were those all ratifications after expenditure?

Mr. WOOD. Every one of them was a ratification after the expenditure. There are many such precedents going back to the very beginning of our Government.

Mr. BYRNS. The gentleman has cited cases where money was appropriated or used for the relief of suffering. I stated expressly that that had been done. But has the gentleman any precedent for the loaning of money to any class of citizens for the purpose of supplying seeds and things of that sort, and not for the relief of suffering?

Mr. CHINDBLOM. This is for the relief of agriculture it should be remembered.

Mr. WOOD. It strikes me that there is more justification, or as much justification in this case as in those I have mentioned and the other precedents I have here. If it had not

been that this relief was furnished as it was furnished, those men down there would have been without seed, without means to have recouped their losses, possibly resulting not only in physical suffering but also in financial suffering.

I can not for the life of me see any difference in principle between the cases. This was not done without the utmost consideration and cooperation by the Department of Agriculture and by the Budget and by the chairman of this committee. So I say that if we are going to reverse the practice of this Congress, which has been pursued ever since this Congress began, by refusing or objecting to appropriations of this character, the time may come when, by reason of some dire disaster, another call will be made upon the Government of the United States, which has ever lent a willing ear to cries of distress and suffering; and if the relief is not granted, perhaps those of us who might be instrumental in causing a new policy to be adopted would regret the hour when we ever did such a thing.

Mr. Speaker, I yield five minutes to the gentleman from Tennessee [Mr. GARRETT]. [Applause.]

Mr. GARRETT of Tennessee. Mr. Speaker, the naked question here is that of the exercise arbitrarily of an authority not given by law. There have been innumerable cases, as the gentleman from Indiana has stated, in which the departments have strained the timbers of the law in order to relieve human suffering and protect human life, and when the Congress has been called upon either to initiate such an act or to ratify acts performed when they had been confined to that particular purpose the Congress has waived constitutional scruples and legal niceties and has proceeded to ratify or to initiate when it was in session and called upon so to do. But, Mr. Speaker, this proposition was not one to relieve suffering. What Congress would have done had it been in session toward creating a fund to be loaned to the farmers of this section for the purchase of seed I do not know. Certainly Congress would, in fixing the matter, have fixed the terms upon which it should be done, but that is not the important thing here. The important thing here is that the Congress is called upon to ratify an illegal act [applause] done in the name of an emergency, with the doer of it himself declaring what was the emergency. Now, what sort of a precedent are we fixing here? I sympathize with the suffering of this community. I have never at any time during my service tried to throw anything in the way of measures presented here for the protection of life in times of catastrophes of nature, but this goes far beyond any proposition of relief or of the protection of human life. This is a proposition which profoundly touches the elemental functions of government, the matter of keeping separate the legislative and the executive branches of government. I have often thought we ought to have a general law which in times of flood or other periods of public distress as a result of some convulsion of nature, would enable the use by the War Department of the facilities at its disposal for the protection of life so that Congress might not be called upon every time to act. That I would accede to. In the discharge of the duty of handling military stocks we can well afford to place that authority in the hands of the department.

Deep as is my sympathy, and profoundly as I feel in regard to the suffering wrought by nature in our sister State of Florida, I can see infinitely more distress for the future in acquiescing in an act whose legality no man can defend and which no man now undertakes to defend as legal.

Ah, if human life had been at stake there and numbers of people had been threatened with destruction we might strain the point, but when it comes to a purely business transaction in the loaning of money for the purpose of purchasing seed I can not acquiesce. I do not know whether they could have borrowed money anywhere else or not. Whether any of the governmental agencies, the intermediate credit banks or the Federal land banks, were open to them, and whether they approached those avenues I do not know. At any rate all that is presented here is that this was a simple business transaction. It does not have in it a single element of the protection of human life, and I am unwilling to set the precedent of ratifying that act. [Applause.]

Mr. WOOD. Mr. Speaker, I yield five minutes to the gentleman from Florida [Mr. DRANE].

Mr. DRANE. Mr. Speaker and gentlemen of the House, the relief was given in very large part to a community in my own congressional district. That community is close to the border line between the first congressional district of Florida and the fourth congressional district represented by my colleague [Mr. SEARS]. That money was used to save human life from starvation. [Applause.] Diverted from cattle and given to men. That is what it was used for. It was not a business transaction. I thank God the President of the United States,

who is said to be cold hearted, had a warm enough heart to see the situation as it then was. [Applause.] And to give the relief which would necessarily come into the mind of any man knowing the conditions and having a spark of humanity in his breast.

The town of Moore Haven, which is involved here, was a town of about 1,500 people, happy, prosperous, orderly, and cosmopolitan; from every section of the United States. They only have one means of livelihood and that is to put green vegetables on the tables of the United States at times when they can not be produced elsewhere. There was a dike around a lake there. That lake is approximately 40 miles wide and 50 miles long. That water had been impounded before that dike until it was said to be 19.4 feet above the level of the sea. The dike was there for the protection of the farm lands and the village behind the dike. The farm lands and the village were at a level of about 15 feet above the level of the sea, therefore, more than 4 feet below the lake level. There came a gale of unprecedented violence and without notice. The gale was 100 miles per hour. In a few hours, notwithstanding the fact that every man, woman, and some of the children of that community were trying to build up that dike in order to hold it, the dike broke and within 30 minutes there was not a house standing where one stood before; the churches, the schools, and even the banks of the community were washed away. All of the animals, sheep, pigs, chickens, horses, and mules, were drowned. Hundreds and hundreds of people were drowned there.

I saw men, women, and children come out of that community with cloths around their loins to hide their nakedness; they stood naked before you, but that is all they had. Everything was destroyed. Hope was destroyed. I have seen women crying and looking for their children, and often they were told their children were dead. They would ask where the body of a child was, and they were told it was down in the saw grass and the muck. Under those conditions the people of Florida opened not only their doors but they opened their pocketbooks and they opened their hearts in order to give relief to those who suffered and a Christian burial to those who died. I do not know "what the Governor of Florida said," as quoted by a distinguished gentleman who preceded me in his remarks, and I do not care what he said. I am telling you the God's truth as to conditions as I saw them, and I was there.

The SPEAKER. The time of the gentleman from Florida has expired.

Mr. WOOD. Mr. Speaker, I yield the gentleman five additional minutes.

Mr. DRANE. They had to have a way to live. We sent them to their homes, paid their railroad fares to all parts of the United States, those who wanted to get back to the hearthstones from which they came. We did that. We clothed them; we fed them; we gave them all the relief we could, and we did it out of our own pockets and freely and willingly. The Red Cross was not yet ready to function, and it could not. This is no reflection upon the Red Cross, but this was an emergency which had to be met and had to be met at once, and it had to be met without regard to law or anything else except the law of humanity, and I thank God that the President of the United States and that great Cabinet officer under him, the Secretary of Agriculture, did what they did; and if it is with the last breath in my body, Democrat as I am and partisan Democrat as I am, if you please, I will vote to ratify what they have done. I thank you. [Applause.]

Mr. THATCHER. Mr. Speaker, I yield five minutes to the gentleman from Florida [Mr. SEARS].

Mr. SEARS of Florida. Mr. Speaker, I hesitate to speak on this question because I believe the House is going to ratify the action of the chairman of the subcommittee in reporting out this agreement.

I dislike to go into a discussion of the recent hurricane because I fear I can not add to what my colleague and friend, the gentleman from Florida [Mr. DRANE] has said. About three weeks before this hurricane struck Florida it was my pleasure and privilege to attend a convention having for its purpose the prevention of floods. At this convention there were men and women from nearly every State in the Union, and as we sat around the festive banquet table and chatted we were full of life and full of hope. I shall not forget the night, at about 1 o'clock, when out of my own home town a carload of provisions and men was sent down to help relieve the suffering and to recover as many as possible of the dead. I shall never forget the happy, bright, spirited minister who sat next to me at that banquet and whose life was lost in that disastrous hurricane. For the dead we can do no good, but for the living we can appeal.

Mr. Speaker, since being a Member of this House during the last 12 years I have voted for millions of dollars for seed for foreign countries and no voice was raised in protest. I have voted for relief in North Dakota and in other sections of the country. My good friend and colleague from Tennessee may say, "Oh, yes; but Congress ratified that." That is true, Mr. Speaker, but Congress was in session. At this time Congress was not in session.

Regardless of what the Governor of Florida may have said or may not have said, I believe I owe it to my colleagues and to the country to say that after looking over the situation and after being flooded with requests I wired President Coolidge and Secretary Jardine, appealing to them on behalf of humanity to make an appropriation out of some fund to give these people the relief they were entitled to, and knowing my colleagues as I did, I believed I could speak for them and say that they would ratify whatever action they took. [Applause.]

The following telegrams and letters are self-explanatory:

SEPTEMBER 24, 1926.

HON. CALVIN COOLIDGE,

The President, Washington, D. C.:

The truck growers in storm area must have prompt assistance in way of seed and fertilizer. Federal Farm bank advises loans. Will be made in usual way. This will do no good. Thought possibly Agricultural Department or some other fund could take care of situation until Congress convenes. J. S. Rainey is county agent at Miami. Do not know name of agent in Moore Haven district. I have voted for many relief funds out West and other sections and am satisfied my colleagues will do likewise in approving whatever action you take. The citizens of Florida in and out of path of destruction are grateful for way Nation has and is responding, and the Red Cross and other agencies are doing wonderful work. If relief as suggested can be granted, wire me. Official business.

W. J. SEARS, Member of Congress.

KISSIMMEE, FLA.

HON. CALVIN COOLIDGE,

The President, Washington, D. C.:

You recall I wired you a few days ago requesting relief for farmers and truckers in storm sections in way of seed, etc. I desire to thank you for prompt acknowledgment. In yesterday's papers I note your request that Secretary of Agriculture render said aid to the extent of \$300,000 and your statement that you are satisfied Congress will indorse your action. As stated in my other telegram, I am satisfied my colleagues will promptly indorse your action as soon as Congress convenes. The people of all Florida are deeply grateful for your prompt action and the assistance rendered by the Nation and for the wonderful work the Red Cross, Salvation Army, and civic bodies are doing.

W. J. SEARS, Member of Congress.

As a Democrat I want to thank the President and Secretary of Agriculture for finding some way to give to those people this relief. Oh, Mr. Speaker, it is unfortunate that the money had to come out of the foot-and-mouth disease appropriation. Let us hope that the foot disease has been eradicated, and that perhaps the little money that is left may help the mouth disease in order that in the future no voice may be raised against suffering humanity. [Applause.]

Oh, Mr. Speaker, I have not forgotten the statement sent out by the distinguished and able Governor of Tennessee when he said that the hurricane was sent to Florida as a punishment of the sins of the people of Florida.

The SPEAKER. The time of the gentleman from Florida has expired.

Mr. WOOD. Mr. Speaker, I yield the gentleman two more minutes.

Mr. BYRNS. Does the gentleman know that the Governor of Tennessee made that statement?

Mr. SEARS of Florida. Oh, no more than the gentleman from Tennessee knows that the Governor of Florida made the statement he referred to. It was in the press. [Laughter and applause.] I think after the recent flood in Tennessee the Governor of Tennessee has backed off and denied the statement. I do not believe the recent flood in Tennessee was sent by the hand of God to punish those people. It was just one of those unfortunate things that happen.

Mr. Speaker, we are not here begging, but we are asking for that to which we are entitled. I understand why my friends technically can argue as they do, but they do not understand conditions in this great State. Living up in the mountains of Tennessee where some of the people are cold and where they can only plant during a few weeks of the year, they can not understand that in Florida you plant your seed in the spring or fall, and almost overnight or within a week or two we have our fresh vegetables ready to send up here so that

my good friend from Tennessee may enjoy them on his table when he goes to his meals.

We took this matter up, as I recall, with the Federal farm-loan banks, but they could not give us any assistance in time to be of any relief. We then went to the President; and, as my colleague and friend from Florida says, I want to thank the President for responding to the telegrams of the Florida delegation and giving this relief to us. Let us hope that the time may never come when we must let people suffer simply because Congress is not in session.

I resent the implication that the people of Florida have not done their part, and I call upon my friends and colleagues from California, my friends and colleagues from Oregon, my friends and colleagues from other States who went down there recently, to vouch for the statement that no State could have come out of such a hurricane and such a loss as quickly as did the State of Florida. [Applause.]

The SPEAKER. The time of the gentleman from Florida has again expired.

Mr. WOOD. Mr. Speaker, I yield five minutes to the gentleman from Florida [Mr. GREEN].

Mr. GREEN of Florida. Mr. Speaker and Members of the House, of course it is impossible for me to make a thorough discussion of the Florida storm relief loan in the few minutes obtainable on this conference report; but I may say that I, indeed, hope that my colleagues will be thoughtful enough to adopt the report. It is with extreme regret that I see some of the most distinguished Members on my own side of the House opposing the ratification of the President's emergency loans to the farmers of the hurricane-stricken area of my great State. The whole situation and the entire argument against this conference report is that there was no necessity; but, Mr. Speaker, if the distinguished gentlemen from Tennessee [Mr. GARRETT and Mr. BYRNS] could have been in the lower district of Florida and could have seen those beautiful villages laid waste in only a few hours, could have seen human and animal life devastated, could have seen residences, dwelling houses, crops, fields, trees, shrubbery destroyed and floating away on dashing waves, and could have heard the cry thereafter which went all over the State; in fact, which went through the United States; and could have heard the appeal for help which was so nobly responded to throughout the United States, and if they could have seen those who were so weak financially throughout the State of Florida and other States contributing almost to their last penny for the relief of suffering humanity, I am sure these distinguished gentlemen and the others who so loudly applauded their roaring speeches would not say that the President of the United States erred when he affirmatively answered a request of the Florida people for a small loan to the farmers of this district in order that they may purchase seeds and other necessities to start their crops with.

This storm came at about the time of planting for fall crops and there was no time for delay. I presume these distinguished gentlemen opposing the conference report would say "they should have waited until the Congress met in December, then obtain an appropriation for a loan to purchase seed with"; but I am glad that this was not the case, and I am glad also to inform you that the farmers of this section bravely and courageously turned themselves to their task of rebuilding their portion of the devastated section and fruits are awarding their task. I read only recently where the farmers were receiving \$3,600 per car, or \$8 per hamper, for snap beans. Had not these loans been made, numbers of these farmers could not possibly have financed the planting of a fall crop, and I appreciate the fact that the United States had a President and Secretary of Agriculture who were "big enough" to come to the relief of stricken and suffering humanity in the manner above indicated. [Applause.]

Mr. BYRNS. Will the gentleman yield?

Mr. GREEN of Florida. I will.

Mr. BYRNS. The gentleman and his colleagues seem to place this matter on a different plane. My colleague and I did not question the suffering of the people of Florida, nor did we make any criticism if it was something done for the relief of human suffering; but here weeks afterwards money is diverted from one source, not for the relief of suffering, but to make a loan.

Mr. GREEN of Florida. In the eye of many it seems all right and proper to appropriate money for the foot-and-mouth disease of animals, for the protection of various plants from pests and disease; it also seems all right to send money to Japan and other grief-stricken areas, then why not ratify this loan which was made for the relief of suffering humanity here in the midst of our own people? I fear that some are attempt-

ing to here try to make a boost in their stock or anti-Florida propaganda; but, Mr. Speaker, this is no time for them to voice their opinion in order to satisfy and please anti-Florida knockers, at a time when we should be courageous and vote to support that which was given for the relief of humanity. I am proud of the fact that the citizens of the United States, through the Red Cross and other agencies, responded so nobly to Florida's appeal; and I am also proud of the fact that our Government was able to make this little loan. [Applause.] Mr. Speaker, I love to help the farmer and I appeal to my colleagues who really favor farm relief to ratify this conference report. This was not a gift, as some have insinuated, but was only a loan; and, in my opinion, the money will be repaid to the Federal Treasury. My colleague from the first district [Mr. DRANE] and my colleague from the fourth district [Mr. SEARS], in whose districts the storm area lies, have already discussed the subject, therefore I do not feel that it is necessary for me to further discuss the matter; however, I admonish you that "ours" is a strong Government financially and we should not set a precedent which would hobble our officials in the future relief of suffering humanity. It is the policy of our Government to give relief where relief is needed, and to know no section of the country in preference to another section of the country, and to know no one State in preference to another State, but to recognize "humanity as humanity" and "justice as justice."

The SPEAKER. The time of the gentleman from Florida has expired.

Mr. WOOD. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on the motion of the gentleman from Indiana to recede and concur in the Senate amendment.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 7: Page 7, after line 23, insert the following: "For support and civilization of Indians under the Klamath Agency in Oregon, \$6,342.53; the Colville Agency in Washington, \$44,946.35; and the Yakima Agency in Washington, \$4,000; in all, \$55,288.88, to be paid from the funds held by the United States in trust for the respective tribes, the same being in addition to the tribal funds allowed for expenditure at the agencies named by the Interior Department appropriation act for the fiscal year ending June 30, 1927 (44 Stats., p. 475); and credit shall be allowed in the settlement of accounts of disbursing officers of the Department of the Interior for emergency expenditures already made from tribal funds for suppression of forest fires on the Klamath, Colville, and the Yakima Reservations."

Mr. WOOD. Mr. Speaker, I move that the House recede and concur in the Senate amendment.

The SPEAKER. The question is on the motion of the gentleman from Indiana.

The question was taken, and the motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 8: Page 10, after line 10, insert the following:

"Provided, That no part of this appropriation shall be used to pay any claim in excess of \$50,000 until such claim shall be approved by the Comptroller General of the United States in accordance with existing law: *Provided,*"

Mr. WOOD. Mr. Speaker, I ask unanimous consent that amendment No. 9 be considered together with No. 8.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

The Clerk read amendment No. 9, as follows:

Page 10, after the word "Provided," insert the word "further."

Mr. WOOD. Mr. Speaker, I move that the House further insist on its disagreements to amendments 8 and 9.

The SPEAKER. The question is on the motion of the gentleman from Indiana to further insist on disagreements 8 and 9.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment. The Clerk read as follows:

Senate amendment No. 10: Page 10, line 18, after the word "each," strike out the balance of the page, and all of page 11 down to and including the word "Commissioner" on line 19.

Mr. WOOD. Mr. Speaker, I move that the House insist on its further disagreement to this amendment.

Mr. McLEOD. Mr. Speaker, I have a preferential motion. I move that the House recede and concur in the Senate amendment.

Mr. WOOD. Mr. Speaker and gentlemen of the House, if you will look at the bill and the Senate amendment you will see that it strikes out the provision put in by the House whereby we endeavored when a refund was made upon an erroneous tax laid on automobile accessories to see that the proper person will get the refund. The Supreme Court has decided that various articles thought to be automobile accessories were not subject to a tax. In consequence of that decision there is a large amount of money now in the Treasury of the United States which belongs to somebody who paid this tax. The manufacturers are the only ones that are insisting on this provision being stricken out of the bill, and I will tell you why they are insisting on it. If it is stricken out they will get almost the entire refund. And if the man who paid the tax, who was the ultimate consumer, the man who bought the automobile and the accessories, ever gets a dollar of it, he will be the exception. For illustration, suppose you were going from here to San Francisco or to Texas and you broke down. You would go to an automobile establishment and buy certain repairs, certain auxiliaries, that the retailer handles. When the manufacturer sold those parts to the retailer he charged him with the tax. The retailer, when he sold those things to you or to me, charged us with the tax. Under this law, as proposed by the Senate, the manufacturer will collect the tax, but how will you or I ever get the money that is coming to us? We would never get a dollar of it and they know absolutely that that is true. In order that the person who paid the tax may be reimbursed, we provided in the bill that the manufacturer should give a bond to the United States whereby he undertakes to pay to the man who is the ultimate consumer the amount that is coming to him.

Failing to do that within six months, he will return that money to the Treasury of the United States. There never was a fairer proposition in the world. [Applause.]

Mr. McLEOD. Mr. Chairman, will the gentleman yield?

Mr. WOOD. Yes.

Mr. McLEOD. Is it not a fact that the contents of what is now being discussed is what is known as the Green amendment, and is it not a fact that it is covered in the revenue act of 1926, section 1120, which reads as follows:

SEC. 1120. In the case of any overpayment or overcollection of any tax imposed by Title V or VI, the person making such overpayment or overcollection may take credit therefor against taxes due upon any monthly return, and shall make refund of any excessive amount collected by him upon proper application by the person entitled thereto.

Mr. WOOD. Yes; but how will you apply that to this proposition? It is absolutely impossible. The only way that the person who really paid the tax would get it would be to protect him as we seek to do in this bill. If any injustice is likely to be done to any of these manufacturers who have paid this tax, the Ways and Means Committee has proposed, after this becomes a law, that they will hear these gentlemen and will find a way to protect them. No one will be hurt. Let me call attention to a fact which is one of the best arguments in the world why this should be a law. One of the gentlemen in submitting his objection to this provision which the House put into the bill said that the manufacturer should have some of this money or a portion of it in order to defray his expenses in hunting up the man ultimately entitled to it. [Laughter.] There is absolutely no defense that can be given to this proposed action on the part of the Senate in striking this out. Nothing can be said in favor of it except that it will help the manufacturer, who will be the only beneficiary, if we do not insist upon the language of the bill as it passed the House.

Mr. WEFALD. How much money is involved in this refund?

Mr. WOOD. About \$29,000,000.

Mr. McLEOD. The gentleman will admit that it was in the 1926 revenue act?

Mr. WOOD. Yes; but as I said a few minutes ago, that provision would not afford protection to the ultimate consumer in the matter we are now considering.

Mr. GARNER of Texas. Mr. Speaker, will the gentleman yield five minutes to me?

Mr. WOOD. Mr. Speaker, I yield five minutes to the gentleman from Texas [Mr. GARNER].

Mr. GARNER of Texas. Mr. Speaker, I want the House to thoroughly understand this matter so that if the final test comes between the House and the Senate the Senate will understand exactly the viewpoint of the House. I hope this provision in the House bill will be sustained by as near a unanimous vote of the House as possible. Let me give you a little bit of the history of this provision. When the court

decided that the automobile parts that were used for other purposes did not come within the provision levying a tax upon automobile accessories, then these manufacturers made application for a refund. If the law stays as it is the automobile manufacturer will get the refund—\$29,000,000—according to the gentleman from Indiana [Mr. WOOD]. I did not know that the amount was so large. They will make application and get the refund for the taxes they paid on these parts of automobiles that they sold. In doing that they will collect money out of the Treasury that the people who purchased the accessories from them paid. No one ever saw an invoice going out of a manufacturer's establishment while this tax was in force that did not include the tax as a separate item. The attention of the Ways and Means Committee was called to that and we thought it our duty to consider it. A subcommittee was appointed, of which I happen to be a member, to consider how we might avoid giving the manufacturer back something to which he was not entitled. We called the Treasury officials down here and we called in the drafting bureau and prepared this amendment. What does it do? It says, for instance, to Governor Morehead, "You are the only man who paid this tax and you are the only man who ought to get the money back out of the Treasury." Therefore, we provided that in order to get the money back from the Treasury which had been paid and which we thought ought to be paid in and what Congress intended should be paid in at the time we passed the law, though the court has decided otherwise, the manufacturers would have to give a bond, first, that they would give the money back to Governor Morehead and get Governor Morehead's affidavit that he had paid the tax. Of course, we knew—I knew—when we inserted that provision that the manufacturer was not going to take any further interest in the transaction. As soon as the manufacturer knew that he was not going to get it, I knew that he would take no further interest in the transaction. That would leave the money in the Treasury, where I wanted it to stay. That was the effect of this House provision. That is the truth about it. One of my friends whom I greatly admire who makes laws in another body and of whom I am intensely fond, who is intensely interested in this amendment, taking the opposite view to mine, said: "The trouble about it is that it is not honest for the Government to withhold from the taxpayer something that it collected illegally."

"Well," I said, "that is true, but it is a great deal more dishonest for Congress to permit him to collect out of the Treasury a thing that he did not put in there. [Applause.] And between the two honest propositions I will take the latter." I want to do what is right by the American taxpayer, and when we collect from him illegally I want to give it back, but I do not want to give him an opportunity to get money out of the Treasury which he did not pay in. That is exactly what the proposition is here. Gentlemen, we no more than got this amendment in here than the automobile manufacturers rushed down here with their counsel. They invaded me by wholesale, and I told them just as I have stated here, and finally I said to the General Motors man and his lawyer just what I have told you here. He said, "You have accomplished just what you started out to do." I said, "Exactly what we wanted to do. We do not propose to permit you to take the money and return it to Governor Morehead; we do not trust you to do it." I do hope that the House will stand by the House provisions we have put in here by unanimous vote of the Ways and Means Committee.

Mr. WOOD. I yield five minutes to the gentleman from Iowa [Mr. GREEN].

Mr. GREEN of Iowa. Mr. Speaker, the amendment stricken out by the Senate had the unanimous support of the Committee on Ways and Means and, as I understand, the unanimous support of the Appropriations Committee. It ought not to be stricken out under any circumstances whatever. These people who have come in here and asked for this money do not come with clean hands. They know they are not morally entitled to this money, whether any of them are legally entitled to it or not. I understand there is some claim made that this amendment as it is written in some few particular instances may work a little hardship, but if that is so a remedy for these people is going to be left for them. The Ways and Means Committee will open wide the doors of their committee room and hear these gentlemen on any fair proposition that they have got to submit, and we will take care of it at the next session. If they will come before the Committee on Ways and Means and ask for a hearing, if their claim is found to be just, we will afford at the next session ample remedy for it.

Mr. CHINDBLOM. Will the gentleman yield?

Mr. GREEN of Iowa. I will.

Mr. CHINDBLOM. That is because, as a matter of fact, this present provision is only a limitation upon this single appropriation—

Mr. GREEN of Iowa. That is all.

Mr. CHINDBLOM. And the entire subject will still remain for consideration by the legislative committee?

Mr. GREEN of Iowa. That is the situation as the gentleman from Illinois has stated. It is a simple limitation upon this particular appropriation, and if these gentlemen have anything to justify their claim we will be glad to give them a hearing.

Mr. BLANTON. Then, to support the Ways and Means Committee we ought to vote down the motion of the gentleman from Michigan and vote for the motion of the gentleman from Indiana?

Mr. GREEN of Iowa. That is correct; the gentleman states the proposition correctly. We ought to vote down the motion to recede and concur and vote in favor of the motion of the gentleman from Indiana to insist on the disagreement, and it ought to be insisted upon to the very last. One word further in reference to the situation. This claim is founded on the decision of the Court of Claims made about a year ago. I think that decision is totally wrong from one end to the other, and an appeal ought to be taken from it if one has not been taken. I think the reason these gentlemen are here crowding this matter was to get the money out of the very first appropriation bill for fear that decision may be in some way reversed and they will never have a chance to get this money. Now, the Ways and Means Committee considered this matter as best we could. The Treasury Department says this money ought not to be paid, and that these cases have been worked up by some employees formerly down in the Treasury Department who took advantage of some information they got there to work them up. The Treasury Department further says a great body of the automobile manufacturers, realizing they have not any honest claim, any real moral claim to this money, do not make any and are not asking to have this money refunded. These few concerns are trying to get this money. Mr. Speaker, I insist the House should stand upon the provision in the original bill and not recede and concur.

The SPEAKER. The question is on the motion of the gentleman from Michigan to recede and concur in the Senate amendment.

The question was taken, and the Speaker announced the yeas appeared to have it.

Mr. WOOD. Mr. Speaker, I ask for a division.

The House divided; and there were—ayes 1, yeas 187.

The SPEAKER. The question is on agreeing to the motion of the gentleman from Indiana that the House further insist on its disagreement to the Senate amendment.

The motion was agreed to.

Mr. WOOD. Mr. Speaker, I ask for a further conference with the Senate.

The SPEAKER. The gentleman from Indiana asks for a further conference with the Senate. The Chair appoints the following conferees on the part of the House: Mr. Wood, Mr. Cramton, and Mr. Byrns.

PISTOLS, REVOLVERS, AND OTHER FIREARMS NONMAILABLE

Mr. RAMSEYER. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill H. R. 4502, with a Senate amendment, and concur in the Senate amendment.

The SPEAKER. The gentleman from Iowa asks unanimous consent to take from the Speaker's table the bill H. R. 4502, which the Clerk will report by title.

The Clerk read as follows:

A bill (H. R. 4502) declaring pistols, revolvers, and other firearms capable of being concealed on the person nonmailable, and providing penalty.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

The SPEAKER. The Clerk will report the Senate amendment.

The Senate amendment was read.

The SPEAKER. The question is on agreeing to the Senate amendment.

The Senate amendment was agreed to.

EMMA E. L. PULLIAM

Mr. UNDERHILL. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill H. R. 7776 and concur in the Senate amendment.

The SPEAKER. The gentleman from Massachusetts asks unanimous consent to take from the Speaker's table the bill 7776, which the Clerk will report by title.

The Clerk read as follows:

A bill (H. R. 7776) for the reimbursement of Emma E. L. Pulliam.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

The SPEAKER. The Clerk will report the Senate amendment.

The Senate amendment was read.

The SPEAKER. The question is on agreeing to the Senate amendment.

The Senate amendment was agreed to.

DISTRICT OF COLUMBIA APPROPRIATION BILL

Mr. FUNK. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 16800, the District of Columbia appropriation bill.

The motion was agreed to.

The SPEAKER. The gentleman from Illinois [Mr. CHINDBLOM] will please take the chair.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 16800, the District of Columbia appropriation bill, with Mr. CHINDBLOM in the chair.

The CHAIRMAN. The committee will be in order. The House is in Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 16800, which the Clerk will report by title.

The Clerk read as follows:

A bill (H. R. 16800) making appropriations for the Government of the District of Columbia and other activities chargeable in whole or in part against the revenues of such District for the fiscal year ending June 30, 1928, and for other purposes.

The CHAIRMAN. The Clerk has read to page 64, line 5.

Mr. FUNK. Mr. Chairman, I ask unanimous consent that we return to the item on page 41, line 12 and part of line 13, reading "eight-room addition and assembly hall to the Morgan School, \$8,531." It is my purpose, if I receive unanimous consent to return to that item, to move that it be stricken out.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois?

Mr. GRIFFIN. Reserving the right to object, will the gentleman please state the ground on which he asks a return to this provision?

Mr. FUNK. If unanimous consent is granted, I would point out that we are providing only for the land and nothing for the construction. Obviously there is no occasion at this time to provide for furniture for such addition. Therefore I expect to move to strike out those lines.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. FUNK. Mr. Chairman, I move to strike out line 12 and part of line 13 on page 41 reading, "eight-room addition and assembly hall to the Morgan School, \$8,531."

The CHAIRMAN. The Clerk will report the motion of the gentleman from Illinois.

The Clerk read as follows:

Mr. FUNK moves to strike out on line 12, after the semicolon, the words, "eight-room addition and assembly hall to the Morgan School, \$8,531."

The CHAIRMAN. The question is on agreeing to the motion of the gentleman from Illinois.

The motion was agreed to.

Mr. FUNK. Mr. Chairman, I ask unanimous consent that the Clerk be authorized to make corrections in the totals.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent that the Clerk be given authority to make corrections in the totals anywhere in the bill. Is there objection?

There was no objection.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Public welfare.

Mr. BLANTON. Mr. Chairman, I move to strike out that heading. That is a paragraph by itself. I move to strike out line 6.

The CHAIRMAN. The question is on agreeing to the motion of the gentleman from Texas.

Mr. BLANTON. I ask for recognition.

The CHAIRMAN. If the gentleman from Texas insists on recognition for debate, the Chair doubts that such procedure would be in accordance with the custom. The Chair does not believe that debate can be had upon a heading.

Mr. BLANTON. I am just following the custom that has been in vogue for 10 years since I have been here. When a

Member desires to speak on that which is embraced in the heading he moves to strike out the heading.

The CHAIRMAN. The Chair does not desire to set a precedent for action on a heading unless it is shown that the heading is a paragraph within the meaning of the rule.

Mr. BLANTON. It has been done frequently. The Chair will note that line 6 is complete, and also line 7 and lines 8 and 9 form a paragraph within themselves.

The CHAIRMAN. It would be the disposition of the Chair to hold that lines 6, 7, 8, and 9 are one paragraph.

Mr. BLANTON. I shall not contend about that. Then let the Clerk read the other lines.

The CHAIRMAN. The Clerk will read lines 7, 8, and 9. The Clerk read as follows:

BOARD OF PUBLIC WELFARE

For personal services in accordance with the classification act of 1923, \$90,460.

Mr. BLANTON. Mr. Chairman, I move to strike out line 6, and on the subject of public welfare I want to call the committee's attention to a practice which has been brought to your attention before, both by the gentleman from Massachusetts [Mr. TREADWAY] and myself, on several occasions. I have had taken, in order to show the facts as they actually exist, the photographs which I submit to you, and I would like to have you look at them.

Mr. TREADWAY. Will the gentleman yield?

Mr. BLANTON. Yes.

Mr. TREADWAY. What does the gentleman suggest as a means of curing what is admitted to be an unwarranted monopoly of the taxicab situation at the Union Station?

Mr. BLANTON. Make it unlawful for the Terminal Co. to sell privileges there.

Mr. TILSON. Mr. Chairman, I am perfectly willing for the gentleman to make his speech out of order, but I wish to make objection to and a point of order against the construction of the rules which the gentleman from Texas would contribute toward establishing if permitted to discuss taxicabs under this amendment to strike out the words "public welfare."

Mr. BLANTON. Mr. Chairman, if the gentleman from Connecticut makes that point of order, I ask unanimous consent to proceed for five minutes out of order.

Mr. TILSON. I have no objection to that.

The CHAIRMAN. The gentleman from Texas asks unanimous consent to proceed out of order. Is there objection?

There was no objection.

Mr. BLANTON. It is awfully hard sometimes to satisfy the powers that be. Here are the facts as they exist. I have shown you photographs where the Willard Hotel sells space all down the block line for money to one particular taxicab monopoly, and no other taxicab company can use the space for a block. Look at the pictures I submit to you.

Mr. SIMMONS. How much do they get for that space?

Mr. BLANTON. If the gentleman will read the hearings before the Senate committee he will see that one man claimed they got several thousand dollars for it. However, they do sell taxi space in public streets for money, and it ought to be stopped. Take the Hotel Washington. Look at the picture where it sells to a certain monopolistic taxicab company all street space along its curb. Look at the Raleigh Hotel. It is the same thing. They sell for money the street space there that belongs to the people, and no other taxicab company can come there. Look at the pictures of the Union Station. Why, they are blocked up there five and six deep and eight and nine long, and you can not drive into that station in the first or second driveways at all, because they are occupied by the Black & White Taxicab Co. Look at the photographs I submit to you.

The directors of the Second National Bank down here in Washington form the Big Five here in Washington, and they control several of the big hotels here, and they are making money out of this monopolistic taxicab business. They are selling street space for big money.

Now, I want to submit this to you: The streets up to the very curb and sidewalk in front of every hotel in this city belong to the people, and the approaches down here to the Union Station are charged with a public interest and they belong to the people; yet when a Congressman or a Senator or a humble employee of the Government in his little Ford takes his family down to that depot he has got to drive in the third driveway because the others are taken up by the Black & White monopolistic taxicab company.

Mr. SIMMONS. What is the gentleman's remedy for the situation?

Mr. BLANTON. My remedy is for you to do just like I proposed here in this bill last year—put in an amendment asserting that the approaches to that depot and the street curbs here be-

long to the people and are charged with a public interest, and provide that no hotel company and that no terminal company shall sell any of same.

There is the remedy for it. I put that in a bill here once, and it went to the Senate and was promptly stricken out there because the taxicab companies and their attorneys and the representatives of this Big Five appeared there and had it stricken out.

Mr. TREADWAY. May I remind the gentleman that he has not made the picture bad enough as to the situation at the depot because there is an officer, not a member of the regular police force but an employee of the Union Station, placed there to see that you do not get anywhere near the station.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. BLANTON. Mr. Chairman, I ask for two minutes more.

The CHAIRMAN. Without objection the gentleman from Texas may proceed for two additional minutes.

There was no objection.

Mr. BLANTON. I want to submit this to you, my colleagues, that the taxicab companies of Washington charge more than in any comparable city in the United States. Go to Detroit, and you can ride the first half mile there for 20 cents, and here, if you get in taxicabs of either the Black & White Co. or the Yellow Taxicab Co. and drive out to 2400 Sixteenth Street, they will charge you about \$1 for it.

They charge here about three times as much as they do in any other city in the United States comparable with Washington.

Mr. DOWELL. Will the gentleman yield for a question?

Mr. BLANTON. I yield.

Mr. DOWELL. Is there any authority of law for the hotel companies to sell this space?

Mr. BLANTON. None in the world; and why on earth the commissioners permit it I do not understand. There is certainly no law for it.

Mr. DENISON. Will the gentleman yield?

Mr. BLANTON. Yes.

Mr. DENISON. The commissioners have no right under the law to permit this?

Mr. BLANTON. They have no right in the world, but still they permit it and they are going to continue to permit it until you direct them otherwise by affirmative law.

The CHAIRMAN. The time of the gentleman from Texas has again expired.

Mr. BLANTON. I simply put it up to this committee. If you want to let this monopoly exist here in the Nation's Capital, all right.

The Clerk read as follows:

DISTRICT TRAINING SCHOOL

For personal services in accordance with the classification act of 1923, \$35,000.

Mr. DENISON. Mr. Chairman, I move to strike out the last word and ask unanimous consent to proceed out of order.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. DENISON. Mr. Chairman, I do this to call to the attention of the House and particularly to the attention of the District Committee, a situation which I think ought to be corrected.

A young man from my district is here in the District of Columbia and has been here for some time. He has been here, I think, since the war. He was a marine. He served in France, made a splendid record there, and has now made application for a position on the police force here in this city. He passed all the tests as to qualifications. He is a man of physical strength and has all the qualifications except they found he lacked a little bit in height.

I called up Major Hesse, of the Metropolitan police force, and asked him if he could not reconsider this young man's application with a view to letting him go on the police force, telling him that he had a splendid record as a marine and that he had fought well for his country in France. The young man went down there and was reexamined physically and this morning I received a letter from Major Hesse which I wish to have the Clerk read in my time.

The CHAIRMAN. Without objection the Clerk will read.

There was no objection.

The Clerk read as follows:

METROPOLITAN POLICE DEPARTMENT,

Washington, D. C., February 3, 1927.

Hon. E. E. DENISON,

House of Representatives, Washington, D. C.

MY DEAR CONGRESSMAN: Mr. W. B. Lipe called at these headquarters and presented your letter of the 27th of January, and I had him meas-

ured by the officer in charge of our identification bureau and ascertained that he is 5 feet 7 7/8 inches in height in his stocking feet.

Under the regulations, the minimum height requirement is 5 feet 8 inches, and we are not permitted under the civil service law to waive any qualifications in individual cases.

I regret that it is impossible to give him favorable consideration at this time.

Very truly yours,

EDWIN B. HESSE,
Major and Superintendent.

Mr. DENISON. I assume Major Hesse was following out literally the civil service law, but it seems to me something ought to be done to allow the police department here enough discretion so they could make an exception now and then in a case of this kind, where an ex-soldier only lacks a small fraction of an inch in height. If I were in his place I would make such an exception if it could be done within the purpose of the law. Here is a man who has served his country in time of war. He was tall enough and he was good enough to go to France and fight for the country. He made a splendid record, but now he is not tall enough by three-eighths of an inch to go on the police force here. He is 5 feet 7 7/8 inches high, only lacking three-eighths of an inch of being the required height after they take off his clothes and stand him up in his bare feet. If they could include the thickness of the soles of his shoes or of the hair on his head he would qualify. I think that is too small a matter to deprive a former soldier, who has served his country well, of the right to serve on the police force of the city of Washington. If the civil service law specifies in detail how such measurements are to be made, and if the superintendent has no discretion at all in administering the law, then I think the law ought to be changed.

Mr. BLANTON. Will the gentleman yield?

Mr. DENISON. Yes.

Mr. BLANTON. We give our former soldiers preference in many other matters, and I quite agree with the gentleman that there ought to be this exception in favor of ex-soldiers.

Mr. DENISON. I was going to mention the fact that we have made exceptions with respect to various other requirements in favor of the boys who served the country in the late war.

Mr. BLANTON. And they ought to have it, and I think the gentleman is right in demanding this for them.

Mr. MICHENER. Will the gentleman yield?

Mr. DENISON. Yes.

Mr. MICHENER. Does the gentleman mean to say he would accept this man regardless of the law and regardless of the regulations, or does the gentleman mean to say he favors a law making such an exception?

Mr. DENISON. I think if I were in Major Hesse's position in the police department, if a soldier who had made a good record for his country in the war and who possessed all the other requirements should apply to me for a position on the police force, I would accept him if he had the required height with a pair of shoes on.

Mr. MICHENER. Regardless of what the law required?

Mr. DENISON. I think I would, unless some positive requirement of the law and not a mere departmental regulation require that the measurements be taken with the shoes off. I might have to act otherwise. If I did I would then come to the proper committee and ask that the law be changed so as to allow the police department some discretion in such cases.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

The Clerk read as follows:

ST. ELIZABETHS HOSPITAL

For support of indigent insane of the District of Columbia in St. Elizabeths Hospital, as provided by law, \$1,200,000.

Mr. ALDRICH. Mr. Chairman, I move to strike out the last word.

Last year the Secretary of the Interior appointed a committee of trained experts to investigate the St. Elizabeths Hospital. On December 10 the gentleman from Michigan [Mr. CRAMTON] asked unanimous consent of the House that the report of this committee be printed. At that time the gentleman from Texas [Mr. BLANTON] objected, stating—

I have read the report, and before the report was made I predicted to our Gibson committee just what this report would be. It is nothing in the world but a purposed, premeditated whitewashing, gotten up, in my judgment, at the instance of Doctor White himself, and it is a ridiculous proposition to let him have a bunch of men who are in the same situation he is come into his department and whitewash him.

Subsequently Mr. CRAMTON introduced a resolution providing for the printing of this report, which was referred to the Committee on Printing, and up until the present time the committee

has not reported the resolution, although I understand numerous Members of the House have requested them to do so.

Mr. BLANTON. Will the gentleman yield?

Mr. ALDRICH. I will.

Mr. BLANTON. If the gentleman will go to that committee he will find that they agreed unanimously not to report it.

Mr. ALDRICH. Then my argument is all the more pertinent.

Mr. BLANTON. The reason why they have refused was because the appointing of said committee was done without the authority of law.

Mr. ALDRICH. I know it was done without the authority of law, but as long as we have the information I think the Members of the House are entitled to have it printed. We have had that committee of very distinguished experts who have gone into the matter thoroughly, and I think the Members of the House could get a great deal of information out of the report.

Mr. BLANTON. The Gibson committee was making an investigation of the subject, and in addition to that Congress passed a joint resolution directing the Comptroller General of the United States to go out there during the summer and make an exhaustive examination with all the machinery he has and make a report back to Congress in December. That was done. Right in the face of all that we find the distinguished Secretary of the Interior, who used to run an asylum very much like that at St. Elizabeths, in Colorado, who was friendly with every one of the so-called experts and whom some of us believe were appointed for special purposes. Does the gentleman think we ought to back up such a violation of law as that?

Mr. ALDRICH. I think we ought to have the information that the committee of experts can furnish; whether it be published in a separate report or included in the Gibson report, I do not care. My purpose in rising at this time was to show, in brief, the qualifications of the various members of this committee who were appointed by the Secretary of the Interior.

Mr. BLANTON. Has the gentleman ever been out at St. Elizabeths and checked up the foreign names of doctors there with whom Doctor White has surrounded himself as his general staff?

Mr. ALDRICH. I have not, but I am familiar with the names of those who made the investigation, and I know one personally. I do not want to take up the time of the House now, but I am going to ask unanimous consent to extend my remarks on their qualifications.

Mr. BLANTON. But not to put in the RECORD the report.

Mr. ALDRICH. No. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. The gentleman from Rhode Island asks unanimous consent to extend his remarks in the RECORD. Is there objection?

Mr. BLANTON. With the understanding that there will be no attempt to put in the report, I shall not object.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. ALDRICH. The investigating committee was composed of five of the most eminent psychiatrists in the country, namely, Dr. George M. Kline, commissioner of mental diseases in Massachusetts and president of the American Psychiatric Association; Dr. H. W. Mitchell, superintendent of Warren State Hospital, at Warren, Pa., and former president of the American Psychiatric Association; Dr. Owen Copp, consultant for the development of the Pennsylvania Hospital and former president of the American Psychiatric Association; Dr. W. S. Smith, provost at Indiana University, at Indianapolis, Ind., and former president of the American Psychiatric Association; and Dr. Arthur H. Ruggles, superintendent of Butler Hospital, Providence, R. I. I might state that the presidency of the American Psychiatric Association is the highest honor that can be bestowed upon a member of their profession. All of these men are of the highest character and integrity and are known throughout the world as leaders in their profession. They served on the commission without pay and their traveling expenses were disallowed by the Comptroller General on the ground that the Secretary of the Interior did not have authority to make the appointments. As a result of this ruling the Secretary of the Interior paid the traveling expenses out of his own pocket.

It seems to me very unfortunate that a Member of the House should question the integrity of men of this character, who were performing a patriotic service without compensation and who have no opportunity of answering the insinuations as to their motives or professional ability. I am personally acquainted with Dr. Arthur H. Ruggles and know of the other members of the commission by reputation. I know Doctor Ruggles to be a man of the very highest standing, both personally and professionally. During the war he was division psychiatrist of the Second Division of the American Expedi-

tionary Forces and received a decoration from the French Government for operating under heavy shellfire.

His experience with the Army gave him a thorough understanding of the nervous and mental disorders which so many of our veterans suffered as a result of the war. Since the war he has been connected with the Butler Hospital in Providence, one of the leading private hospitals for the cure of mental diseases in the country, and is now superintendent of that institution. Last year he was given a leave of absence from the Butler Hospital and became professor of psychiatry at Yale University and is still rated as clinical professor of psychiatry and mental hygiene at Yale. He is also chairman of the executive committee of the National Committee for Mental Hygiene and acting medical director of the Connecticut Society for Mental Hygiene. Last year he received an honorary degree from Dartmouth College for his work in mental hygiene. The care and treatment of those suffering from mental diseases is a highly technical science. Therefore it seems to me that it is extremely important that the investigation of an institution of the character of St. Elizabeths Hospital should be conducted by the very best men we can find who have had practical experience in the care of these cases, the gentleman from Texas, Mr. BLANTON, to the contrary notwithstanding, and I consider that the Members of the House and the country as a whole are entitled to have this report printed in order that they may know whether or not the hospital under supervision of our Federal Government is being properly conducted, and, if it is not being conducted properly, where the responsibility for its mismanagement rests. I know that Doctor Ruggles and the other members of the committee are far above signing their names to any "whitewashing" report, and their sole motive in serving on the committee was for the purpose of aiding those unfortunates for whose welfare they have devoted their lives. I earnestly hope that the Committee on Printing will report Mr. CRAMTON's resolution with a favorable recommendation and that it will be speedily acted upon by the House.

Mr. GIBSON. Mr. Chairman, one word in regard to the situation at St. Elizabeths. The gentleman from Texas referred to a resolution which passed the House in July calling on the Comptroller General for a survey and report on St. Elizabeths Hospital. That survey and report have been printed. It was a very exhaustive investigation. So far as our inquiry is concerned, we welcome the information contained in report of the experts appointed by the Secretary of the Interior and all other information that bears upon the situation at St. Elizabeths.

Mr. ALDRICH. Will the gentleman yield?

Mr. GIBSON. Certainly.

Mr. ALDRICH. Does not the gentleman think it would be for the benefit of the House if it had that information?

Mr. GIBSON. Yes; to our committee and to all the Members of the House. We ought to have all the information available if this matter is to come up for consideration in any form.

Mr. BLANTON. Will the gentleman yield?

Mr. GIBSON. Yes.

Mr. BLANTON. I think the best work that the gentleman from Vermont could do now, following the splendid work he has performed, would be to take some definite, logical, active step to remove Doctor White from St. Elizabeths. I think he has concluded, as some of the rest of us have, that Doctor White is not the proper man to be in charge of that institution, with 4,400 men and women incarcerated there and 2,200 of whom have never been adjudged insane by any order of court. I think the best thing he could do would be to take some step to get Doctor White out of there.

Mr. STEVENSON. Mr. Chairman, I rise in opposition to the amendment. The question was raised a minute ago about printing a certain report. That report was made by a committee of experts appointed by somebody to look into the St. Elizabeths situation. The resolution went to the Committee on Printing. It asked for the printing of the report, which is a very lengthy document, and, if my memory serves me, to make it a House document—in any event, to have it printed at the expense of the people. The only statement made to us as a reason for that is that there was not any law for the commission and there was no way to pay for the printing of their report. The Committee on Printing have assumed that if Cabinet officers start out appointing investigating committees without authority of law and then have expensive reports made, it will be a good thing to have them pay for the printing of it themselves. We do not propose to load up this House with the expense of printing things that were incurred without authority of law and without any warrant whatsoever. That is the reason that has not been done.

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn, and the Clerk will read.

The Clerk read as follows:

For pay of troops other than Government employees, to be disbursed under the authority and direction of the commanding general, \$9,000.

Mr. ZIHLMAN. Mr. Chairman, I move to strike out the last word. I do this for the purpose of calling to the attention of the committee the appropriation for the National Guard of the District of Columbia for \$35,550. I talked with the chairman of the subcommittee and I had in mind offering an amendment increasing the amount appropriated for the National Guard by \$10,000, but in view of the fact that the chairman of the subcommittee having this bill in charge is somewhat opposed to inserting items offered on the floor, I have refrained from doing so. Just why the distinguished gentleman from Illinois should feel this way I do not know, because I think he is meeting with remarkable success in guiding the bill through the House. It is a great appropriation bill carrying \$35,000,000. There have only been inserted on the floor of the House amendments totaling \$35,000, with the exception of the amendment offered by the gentleman from Mississippi [Mr. COLLINS] which was accepted by the committee. I congratulate the chairman of the subcommittee and the other members upon it for the diplomacy, the tact, and the skill with which they are getting this measure through the House. As one Member of the House I am sincerely sorry that the distinguished gentleman from Illinois [Mr. FUNK] is not going to be with us next session. I feel that he has rendered a splendid service to the country and to the District of Columbia during his membership of the House and I know that I voice the opinion of other Members of the House that we are sincerely sorry he is going to leave us with the conclusion of the present session. [Applause.]

Mr. BLANTON. Mr. Chairman, will the gentleman yield?

Mr. ZIHLMAN. Yes.

Mr. BLANTON. I voice the same sentiment myself and I think that is the feeling on both sides of the aisle. That is shown I think in this, that while the bill is teeming with legislation no gentleman has yet made a single point of order against any provision. That is because of the fine feeling that the membership have for our friend, Mr. FUNK. [Applause.]

Mr. ZIHLMAN. Mr. Chairman, in reference to the National Guard of the District of Columbia, this splendid military organization which offered its service to the Government at the time of the Spanish-American War as a body, and again at the opening of the World War offered its services to the Government en masse, is to-day without a home. The only meeting place and drilling quarters or hall they now have is one of these abandoned Government hotels on the Union Station Plaza. The members of the National Guard of the District of Columbia are forced in all kinds of weather to conduct their drills in the open. The officers of the National Guard have time and again made an effort to secure an appropriation for an armory, but without success. Not only that, but this splendid body of troops have been declared by the Attorney General of the United States to be a branch of the Federal Military Establishment. The commanding general, Gen. Anton Stephan, is appointed by the President of the United States and confirmed by the Senate. They are in a measure at least a part of the Federal troops. Yet the several units of the National Guard have no armory, and if this dilapidated building is torn down, these civilian troops will be absolutely without a place to meet and drill. They receive in the bill only a total appropriation of \$35,550. I am told by the officers of this splendid military regiment that \$10,000 for rent for the various companies, white and colored, is insufficient. They submitted to the District Commissioners a proposal of \$20,000 for rent and heat and an authorization to enter into contracts for a rental of \$20,000 a year for a period of five years. That proposal was transmitted to the Bureau of the Budget, but was refused by that bureau. They appeared before this committee and again asked that their allowance for rent be increased and that they be given authority in the bill to enter into a contract for a period of five years. The committee saw fit to disallow that item. I have refrained from offering it on the floor in deference to the wishes of the chairman of the subcommittee in the hope that the Senate Committee on Appropriations for the District of Columbia will give consideration to this matter and provide more adequate quarters, rented, if necessary, until an armory is provided for the National Guard of the District of Columbia.

Mr. FUNK. Mr. Chairman, I rise in opposition to the pro forma amendment. In order that there may be no misunderstanding, your subcommittee has recommended to the House every dollar submitted by the Bureau of the Budget. If there is a need for an armory for the Militia of the District of Columbia, meeting that need does not lie within the province of your subcommittee. That would necessitate an authorization, and

I take it that authorization would have to come from the legislative committee on the District of Columbia.

Mr. ZIHLMAN. Mr. Chairman, will the gentleman yield?

Mr. FUNK. Yes.

Mr. ZIHLMAN. The authorization for a public building does not come from the committee of which I am the chairman.

Mr. FUNK. It certainly does not come from the committee of which I am the chairman.

Mr. ZIHLMAN. I personally introduced a bill to provide an armory for the District of Columbia. I appeared in behalf of that bill with the officers of the National Guard before the Committee on Public Buildings and Grounds. Inasmuch as no favorable action has been taken, I am suggesting that there should be a sufficient allowance for rental that will enable these troops to have a home in the District until such time as a public building can be supplied them.

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn and the Clerk will read.

The Clerk read as follows:

ANACOSTIA RIVER AND FLATS

For continuing the reclamation and development of Anacostia Park, in accordance with the revised plan as set forth in Senate Document No. 37, Sixty-eighth Congress, first session, \$217,500, of which amount \$125,000 shall be available for expenditure below Benning Bridge, and not more than \$92,500 shall be available immediately for the purchase of necessary land above Benning Bridge, no part of which shall be expended until options have been secured on the entire area of such necessary land above Benning Bridge at prices which do not exceed in the aggregate \$92,500 plus the unobligated balance of funds now available for the purchase of such land: *Provided*, That the purchase price of any site or sites acquired hereunder shall not exceed the full value assessment last made before purchase thereof plus 25 per cent of such assessed value.

Mr. FUNK. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

On page 77, line 17, strike out the comma following the word "bridge" and all matter following down to the colon in line 22.

Mr. FUNK. Mr. Chairman, since the committee wrote and marked up the bill we have given further consideration to this matter, and we are of the opinion that in the acquirement of the necessary land above Benning Bridge it may be necessary to enter into condemnation proceedings; and if the language that appears here in the printed bill be enacted into law it might hamper the Army officers who are acquiring that land. I will say we are recommending an appropriation here, together with the money on hand, that we think will be sufficient to acquire all the land that was contemplated to be purchased for this improvement above Benning Bridge, and I ask that the amendment of the committee be adopted.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois.

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

NATIONAL CAPITAL PARK AND PLANNING COMMISSION

For each and every purpose requisite for and incident to the work of the National Capital Park and Planning Commission as authorized by the act entitled "An act providing for a comprehensive development of the park and playground system of the National Capital," approved June 6, 1924, as amended, including not to exceed \$33,000 for personal services in the District of Columbia in accordance with the classification act of 1923, and not to exceed \$200 for printing and binding, \$600,000, to remain available until expended: *Provided*, That not more than \$150,000 of this appropriation shall be available for the purchase of sites without limitation as to price based on assessed value and that the purchase price to be paid for any site out of the remainder of the appropriation shall not exceed the full value assessment of such property last made before purchase thereof plus 25 per cent of such assessed value.

Mr. ZIHLMAN. I rise, Mr. Chairman, to make a point of order against this paragraph, that it is legislation on an appropriation bill and a repeal of existing law; namely, the National Capital Park and Planning Commission act, which I send to the Chair for his information for ruling upon the point of order which I make. I call attention to the language at the bottom of the paragraph, in line 22, where the National Park Planning Commission is authorized to employ technical experts without regard to the classification act. This bill in repealing that law provides they must be employed in accordance with the classification act, and I make the point of order that the language in line 14, "in accordance with the classification act of 1923," is legislation repealing existing law.

Mr. GIBSON. If the gentleman will yield for a suggestion. The act to which the gentleman from Maryland refers in connection with the National Capitol Park Planning Commission provides that the commission is authorized to employ the necessary personal services, including personal services of the director for planning and other expert planners, and so forth. Now, the commission is employing about four experts at the present time under the provisions of the original bill. I took up this matter, I will say to the gentleman, with the attorney for the Capital Park Planning Commission prior to this session and he made the suggestion that we could take care of the situation by adding the precise words which the Bureau of the Budget suggested in its report; namely, to use the words which the committee used. Those words are "in accordance with the classification act of 1923," and then add these words, "and the act approved April 30, 1926 (54 Stat. L. p. 374)," and I have prepared an amendment in accordance with the suggestion and I ask the gentleman if that will not take care of the situation?

Mr. ZIHLMAN. Well, I will say to the gentleman from Vermont that will probably take care of the situation, but the gentleman must realize, after the tumult of yesterday it is not a very easy matter to amend an appropriation bill upon the floor; if it is stricken from the bill, if the Chair should hold the point to be well taken, the gentleman can offer his amendment then. I am trying to protect my rights as a member and chairman of the Legislative Committee in raising the point of order that this is legislation on an appropriation bill, repeals existing law, and does not show upon its face an actual retrenchment of expenditures.

The CHAIRMAN. The Chair will ask the gentleman from Maryland whether he has in mind the following provision in the act of April 30, 1926, which is an amendment to section 1 of the act approved June 6, 1924, reading as follows:

The said commission is hereby authorized to employ the necessary personal services, including the personal services of a director of planning and other expert city planners, such as engineers, architects, and landscape architects. Such technical experts may be employed at per diem rates not in excess of those paid for similar services elsewhere, and as may be fixed by the said commission, without regard to the provisions of the act of Congress entitled "An act for the classification of civilian positions within the District of Columbia and in the field services," approved March 4, 1923, and amendments thereto, or any rule or regulation made in pursuance thereof.

Mr. ZIHLMAN. Yes, sir; that is the legislation that I have in mind, Mr. Chairman. The further legislation, cited by the gentleman from Vermont [Mr. Gibson], which the act of April 30, 1926, amends, I do not have before me.

The CHAIRMAN. The act of June 6, 1924?

Mr. ZIHLMAN. Yes.

The CHAIRMAN. The Chair would like to have a copy of that act. In the meantime the Chair would direct the attention of the gentleman from Maryland to this question: The language in the text of the pending bill appropriates not to exceed \$33,000 for personal services in the District of Columbia in accordance with the classification act of 1923. The portion of the act of April 30, 1926, read by the Chair, does provide that certain technical experts may be employed without regard to the provisions of the act of Congress known as the classification act. The question is whether Congress may not appropriate for personal services other than of those who are designated here as technical experts, and whether such employees must not be employed in accordance with the classification act.

Mr. ZIHLMAN. I quite agree with the Chair, but I call his attention to the fact that \$33,000 has been appropriated for personal services in the District of Columbia in accordance with the classification act, which, it seems to me, clearly brings these technical experts now employed on a per diem basis within the provisions of the classification act.

The CHAIRMAN. It might prevent the employment of any such technical experts at all.

Mr. ZIHLMAN. Which is permitted by the act of April 30, 1926. That is the point I make.

The CHAIRMAN. The Chair would like to have the opinion of some member of the Committee on Appropriations.

Mr. SIMMONS. Mr. Chairman, I think the position of the committee could be briefly stated as this: We are appropriating for men employed under the classification act. The law does not make it mandatory that we employ these other per diem men. We are not appropriating for that purpose. If they can be employed under this act, well and good. But the law does not compel us to employ other employees outside of the classification act, and we are not doing it.

Mr. ZIHLMAN. The employees of this commission that are employed in accordance with the provisions of the classification

act are, I think, two in number, and this sum total of \$33,000 was not intended to cover their salaries only but was intended to give this commission the privilege of employing recognized city planners and landscape engineers upon a per diem basis; and under the appropriation made during the current fiscal year a celebrated firm of engineers has been employed by the commission to give per diem services to the commission in an advisory and planning capacity, and it is admitted by the member of the committee from Nebraska [Mr. SIMMONS] that this is intended to deprive the commission of those per diem services that are permitted under the act of April 30, 1926.

Mr. SIMMONS. That is not what I said. The language of the bill is plain. It says, "For employment of men under the classification act." We are not employing for the purposes set out in the bill that the gentleman referred to. The language is plain. If they can bring these men under the language of the bill, well and good. If they can not, they can not be paid out of this appropriation.

Mr. ZIHLMAN. Then the limitation will nullify the existing law.

The CHAIRMAN. The Chair will ask the gentleman from Maryland [Mr. ZIHLMAN] if it is not within the power and province of the committee and of the Congress to refuse appropriations for a particular purpose and under a particular provision of a law?

Mr. ZIHLMAN. I recognize the right of the committee and of the House to withhold appropriations for any purpose under the rules of the House. But I have called the attention of the Chairman to the fact that this \$33,000, which they make available, is not for employees now employed under the provisions of the classification act but is a limitation for the purpose of nullifying and defeating the act of April 30, 1926.

Mr. TILSON. Mr. Chairman, will the gentleman yield?

Mr. ZIHLMAN. Yes.

Mr. TILSON. The gentleman will concede that if this appropriation is made as provided in the bill this money will be expended under the classification act, and hence according to law. This paragraph specifically says that not to exceed \$33,000 shall be expended for personal services in the District of Columbia in accordance with the classification act.

Mr. ZIHLMAN. No; I will say to the gentleman from Connecticut, the distinguished majority leader, that the money will not be expended for the services required by the Park Commission, the purpose of the act which provides that four city planners should be appointed without pay by the President of the United States, who have been working on this matter and who have been in consultation with the President as to the development of future plans for the city of Washington. They can not be employed under the provisions of the classification act. Men of their standing in their profession could not and would not accept a position under the provisions of the classification act.

Mr. SIMMONS. The gentleman's complaint is that we have not appropriated money to hire certain men that the general law says might be appropriated for?

Mr. ZIHLMAN. No. My complaint is that by the language you have inserted in the bill you destroy the provisions of the act of April 30, 1926, creating a national park and planning commission and giving them the option and power to employ expert engineers and landscape artists on a per diem basis.

Mr. SIMMONS. And thereby reduce the number of men on the pay roll.

Mr. ZIHLMAN. You have reduced the number of men but you have carried the same total of appropriation. However, by the limitation you have made it impossible to employ per diem experts, as provided in the act which you seek to nullify by this language.

The CHAIRMAN. The Chair is ready to rule. The Chair again calls attention to the language of the act approved April 30, 1926, reading as follows:

The said commission is hereby authorized to employ the necessary personal services, including the personal services of a director of planning and other expert city planners, such as engineers, architects, and landscape architects. Such technical experts may be employed at per diem rates not in excess of those paid for similar services elsewhere and as may be fixed by the said commission without regard to the provisions of the act of Congress entitled "An act for the classification of civilian positions within the District of Columbia and in the field services," approved March 4, 1923, and amendments thereto, or any rule or regulation made in pursuance thereof.

It seems clear to the Chair that this commission is authorized to have two classes of employees, certain employees rendering personal services under the general law, subject to the classification act, and certain other employees designated here as

technical experts, who may be employed without regard to the classification act.

Mr. ZIHLMAN. May I call the attention of the Chair to the first sentence of the paragraph, "for each and every purpose," so that it is impossible under the language of this paragraph to employ per diem experts as provided by the Park and Planning Commission act, and this limitation does not only apply to the employees who are under the classification act of 1923 but to each and every employee, and it repeals and nullifies the park commission act.

The CHAIRMAN. The Chair would think that the effect of the language is that the commission will be limited to \$33,000 for such personal services as may be employed in the District of Columbia in accordance with the classification act of 1923, and that there is no specific provision as to the employment of experts who are authorized under the act of April 30, 1926.

Mr. TILSON. Mr. Chairman, it would undoubtedly be in order under the act of April 30, 1926, to appropriate for these extraordinary employees, but the House is not compelled to appropriate for them simply because they are authorized by law.

Mr. ZIHLMAN. I concede that point, Mr. Chairman. I concede the House is not required to appropriate; that this committee can withhold its recommendation and the House can then take such action as it sees fit.

Mr. TILSON. It will be in order for the gentleman to offer an amendment, the appropriation being authorized under the act of April 30, 1926, but as the language of this bill now stands it undertakes to appropriate for a certain purpose which the gentleman concedes is authorized by law.

The CHAIRMAN. The Chair is of the opinion that the limitation of the expenditure of \$33,000 relates only to personal services in the District of Columbia in accordance with the classification act of 1923, and that the committee and the House are within their rights in thus limiting the appropriation. If the effect is to withhold an appropriation for any other purpose, that is also within the power of the committee and of the House. The Chair therefore overrules the point of order.

Mr. ZIHLMAN. Mr. Chairman, I offer an amendment: Page 80, line 14, after the word "Columbia," strike out the words "in accordance with the classification act of 1923." And on that I wish to be heard.

The CHAIRMAN. The gentleman from Maryland offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. ZIHLMAN: Page 80, line 14, after the word "Columbia," strike out the words "in accordance with the classification act of 1923."

Mr. ZIHLMAN. Mr. Chairman, I really think this is a matter of some importance, not only to the members of this committee but to the future development of the Capital City of the Nation. I believe that the act of 1926, amending the National Capital Park and Planning Commission act passed several years previously, is one of the great forward steps in the development of the Capital of this Nation. Under its provisions the President of the United States has appointed four eminent engineers and city planners, one of whom is Frederick Law Olmstead, of Brookline, Mass., who worked on the National Capital park plan of 1901, known as the McMillan park plan, and who has for years been giving his services and talents to the proper development of this city without cost to the Federal Government, and who was appointed without salary as a member of this commission, who has been aided in supplementing his efforts by Mr. J. C. Nichols, one of the large real-estate developers of Kansas City and an outstanding man in his chosen profession, that of landscape and planning engineer and technical expert; Mr. Milton B. Medary, jr., of Philadelphia, one of the most prominent architects of the United States, a member of the Fine Arts Commission of the District of Columbia; and Mr. Frederic A. Delano, who has had a great deal to do with the wonderful park plan and metropolitan area of the city of Chicago, and who was at one time the president of the Wabash Railroad Co. These four eminent citizens are serving on this commission without pay. Aiding them and counseling with them are the Chief of Engineers of the United States Army, the Superintendent of Public Parks and Grounds in the District of Columbia, Col. U. S. Grant, 3d; the engineer commissioner of the District of Columbia, Col. J. Franklin Bell; the head of the Forestry Service of the United States, Col. W. B. Greeley; the head of the National Park Service of the United States, Mr. Stephen A. Mather; and the chairmen of the two legislative committees of the House and Senate. In accordance with the provisions of the act of 1926 there has been employed on a part-

time basis a noted firm of engineers and landscape engineers of the city of St. Louis, the members of which firm have come here and have acted in an advisory capacity to the commission and its personnel, and have laid out a comprehensive plan for the future park, parkway, and street development of Washington.

They have been following the original plans of Major l'Enfant and the plan approved by the McMillan Park Commission of 1901. I feel that a great deal of the substantial progress of the past few years has been due, in part, at least, to their wise counsel.

These experts are being paid, as I have said, upon a part-time basis. Mr. Harlan Bartholamew, the head of this firm, is the man who drafted the present zoning law of the District of Columbia, and is an outstanding man in his line. Their employment was made upon the recommendation of the members of the commission who receive no salary. Under his supervision there is being developed a plan of parkway and park development that is going to make this city within a few years one of the most beautiful cities in the world.

With the limitation, which has been held in order, providing that they must be employed under the provisions of the classification act of 1923, the committee destroys the usefulness of the provisions of existing law. We are asking that we should not be compelled to employ only men who can come within the provisions of the classification act simply because they can give full time to this work. We would then secure the services of men who are mere beginners in their line and who know nothing about the splendid plans that have been developed after years of consideration and effort on the part of those who want to see Washington a really beautiful city.

Not a cent will be saved, because the commission is authorized to expend just as much under this paragraph of the bill as they are authorized to expend under the provisions of the current law, and all that is done is to lower the quality of men we secure without saving a single cent to the Federal Government.

I feel that the committee in putting in this limitation is endeavoring to destroy the purposes of the act of 1926 providing for the Park and Planning Commission, and is putting a restriction upon the kind of men the commission can employ, without saving a single cent, but lowering the quality of work that will be done for the Federal Government. I certainly hope this language in the bill will be stricken out.

Mr. FUNK. Mr. Chairman, I rise in opposition to the amendment to briefly point out that the only purpose the committee had was to safeguard the finances and the treasury of the District. There is nothing unusual in putting in the words objected to, "in accordance with the classification act of 1923."

Under that classification act, grade 7 is a special, professional grade, the salary of which is fixed at a maximum of \$7,500. We thought we were following the lines of good business judgment to safeguard the appropriation, as other appropriations are safeguarded, by applying to it the provisions of the classification act. Without some such limitation this commission could, although they probably would not, spend the entire amount for one firm.

The committee is in sympathy with the objects of the Capital Planning Commission, and when a properly presented application for appropriation comes to us for special services we no doubt will be willing to recommend the appropriation of the money.

Mr. TINCER. Will the gentleman yield?

Mr. FUNK. I yield to the gentleman from Kansas.

Mr. TINCER. Was the committee familiar with the facts as explained by the gentleman from Maryland [Mr. ZIHLMAN]?

Mr. FUNK. It was not.

Mr. TINCER. In view of that explanation and in view of the fact that every fair-thinking man interested in the Capital must appreciate the fairness of the situation, why does not the gentleman agree to the amendment? [Applause.] What is the object in not agreeing to the amendment?

Mr. FUNK. This language was in the bill last year.

Mr. TINCER. I understand that, but the gentleman from Maryland has made a fair explanation and has explained the reason for the law as it now exists. These men the gentleman referred to are not going to come in here under the classification act and become Government employees.

Mr. TILSON. Will the gentleman yield?

Mr. FUNK. Yes.

Mr. TILSON. Why could not the gentleman add to the language already in the bill, the language which was in the bill last year, "and personal services of temporary per diem employees at rates to be fixed by the commission not in excess of current rates for similar employment in the vicinity." This would not increase the amount of the appropriation at all.

Mr. ZIHLMAN. I would accept that modification if the gentleman would offer that as an amendment to my motion, because that is all I am trying to accomplish.

Mr. TILSON. I am reading from the Budget, and as I understand it, this is the language that was in the bill last year.

Mr. FUNK. We will accept that.

Mr. ZIHLMAN. Mr. Chairman, I ask unanimous consent to modify my amendment as suggested by the gentleman from Connecticut [Mr. TILSON], which is the language of the current law.

The CHAIRMAN. Without objection the amendment offered by the gentleman from Maryland may be modified in the manner indicated and the Clerk will report the modified amendment.

There was no objection.

The Clerk read as follows:

Modified amendment offered by Mr. ZIHLMAN: Page 80, line 13, after the word "amended" strike out "including not to exceed \$33,000 for personal services in the District of Columbia in accordance with the classification act of 1923," and insert in lieu thereof the following: "And personal services of temporary per diem employees at rates to be fixed by the commission, not in excess of current rates for similar employment in the vicinity, not to exceed \$33,000."

The CHAIRMAN. The question is on the amendment offered by the gentleman from Maryland.

The amendment was agreed to.

The Clerk read as follows:

The rates of assessment for laying or constructing water mains and service sewers in the District of Columbia under the provisions of the act entitled "An act authorizing the laying of water mains and service sewers in the District of Columbia, the levying of assessments therefor, and for other purposes," approved April 22, 1904, are hereby increased from \$1.25 to \$2 and \$1 to \$3, respectively, per linear front foot for any water mains and service sewers constructed or laid during the fiscal year 1928.

Mr. GRIFFIN. Mr. Chairman, I make the point of order that no quorum is present. The reason that I make that is that there is an item in the bill for the restoration of two items of water mains in Anacostia; and if there is going to be any discussion, I want Members of the House here.

The CHAIRMAN. The gentleman from New York makes the point of no quorum. The Chair will count. [After counting.] One hundred and ten Members present, a quorum.

Mr. ZIHLMAN. Mr. Chairman, I rise to make a point of order against the paragraph on the bottom of page 83, that it is legislation on an appropriation bill and repeals existing law.

The CHAIRMAN. Does the gentleman from Illinois desire to be heard?

Mr. FUNK. I concede the point of order. We were attempting to protect the taxpayers of the District; but if the gentleman insists on the point of order, I concede that it is good.

Mr. ZIHLMAN. I have made an investigation of this matter. This paragraph authorizes an assessment of \$6 per running foot on sewers, which is 100 per cent more than the cost. It is a revenue-producing item and has no place in the bill.

The CHAIRMAN. It is clearly subject to a point of order. The Chair sustains the point of order to the paragraph.

The Clerk read as follows:

For installing water meters on services to private residences and business places as may not be required to install meters under existing regulations, as may be directed by the commissioners; said meters at all times to remain the property of the District of Columbia, \$30,000.

Mr. ZIHLMAN. Mr. Chairman, I rise to ask unanimous consent that with the concurrence of the chairman of the committee to offer a perfecting amendment to the amendment adopted on page 80 a few moments ago. I am offering the amendment in lieu thereof drafted by the clerk of the committee.

The CHAIRMAN. The gentleman from Maryland asks unanimous consent to return to page 80, under the heading of "National Park Planning Commission," for the purpose of offering an amendment. Is there objection?

Mr. TILSON. Let us hear the amendment.

The CHAIRMAN. The Clerk will read the amendment for information.

The Clerk read as follows:

Page 80, line 15, after the figures "1923," insert "and the act approved April 30, 1926, Forty-fourth Statutes at Large, page 374."

The CHAIRMAN. The Chair will state that at the present state of the record these words are not in the bill.

Mr. BLANTON. The gentleman's motion should be to vacate the action of the committee and insert the language he wishes to put in.

Mr. ZIHLMAN. Mr. Chairman, I ask unanimous consent that the action taken amending the paragraph be vacated.

The CHAIRMAN. Is there objection to the request of the gentleman from Maryland?

There was no objection.

The CHAIRMAN. The Clerk will report the amendment. The Clerk read as follows:

Page 80, line 15, after the figures "1923," insert "and the act approved April 30, 1926, Forty-fourth Statutes at Large, page 374."

The CHAIRMAN. The question is on the amendment offered by the gentleman from Maryland.

The amendment was agreed to.

The Clerk read as follows:

For replacement of old mains in various locations, on account of inadequate size and bad condition of pipe on account of age, and laying mains in advance of pavement, \$50,000.

Mr. GRIFFIN. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Page 84, after line 10, insert the following: "For the laying of 9,000 feet of 12-inch water main in Alabama Avenue SE., from Branch Avenue to the District line, \$42,800."

Mr. GRIFFIN. Mr. Chairman and colleagues, in legislating for the District of Columbia Congress occupies a position of peculiar responsibility. It might be said that we occupy a fiduciary relationship to the people of this District. They have no direct representation; they look to us for protection of their interests—even to a greater extent than if they were a constituency to whom we were directly accountable.

I want it to be distinctly understood that I have no complaint to make against the genial chairman of the committee or my colleagues who have devoted such unremitting and persistent attention to the items in the bill. Where I have differed with them it has been wholly on matters of judgment, and I do not object to their holding a different point of view.

They have given conscientious and careful study to the items of the bill, and at this time I cheerfully extend my compliments to the chairman of the committee, who is responsible for the cordiality and splendid relationship of all of the members of the committee. We may have our little differences, but when we have fought our battles we shake hands and forget them. The chairman of this committee is a good sport, and I am glad to pay him this tribute.

With regard to this amendment, all I want to do is to restore an item which was submitted by the commissioners and approved by the Budget—the need of which, in my opinion, is imperative.

THIS ITEM DOES NOT TAKE A SINGLE DOLLAR OUT OF THE FEDERAL OR DISTRICT TREASURY

Why do I take it upon my shoulders, single-handed, to talk for the people of this section, to have this water main built? In the first place, it was passed upon by the commissioners and approved by the Budget. It does not take a single dollar out of the Federal revenues, it does not take a single dollar out of the District revenues. It comes out of the water fund of the District. We have been liberal in the matter of water mains in other sections of Washington. Why do we ignore this particular section where there are people who have humble homes?

NINETEEN POLLUTED WELLS

This is the situation. I shall not argue it. You have it in the hearings in front of you the same as I have, and they must be your guide. On page 701 of the hearings the following colloquy occurred:

Mr. GRIFFIN. I want to ask Colonel Bell a question as to the matter of the condemnation of wells in this vicinity. Has the health department issued any orders in that regard?

Colonel BELL. Many of them.

Mr. GRIFFIN. What is the purport of those orders?

Colonel BELL. That they are condemned, that their wells have been inspected and examined, and notice served on them that the water must not be used.

Mr. GRIFFIN. What do the residents of that section do?

Colonel BELL. Sometimes they go to other wells and sometimes they go over into Maryland and establish a tap some place and carry water from that area.

Mr. GRIFFIN. How many water mains are there on the east side of the Anacostia River; that is, in the entire section east of the Anacostia River?

Mr. GARLAND. There are several water mains in this whole area through here [indicating on map]; from Congress Heights up to here [indicating].

Mr. GRIFFIN. Congress Heights and Benning have their own mains?

Mr. GARLAND. Oh, yes.

Mr. FUNK. Where the density of population is very much greater.

Mr. GARLAND. In a great many places it is, especially through Anacostia.

Mr. FUNK. What is the average depth of wells that the householders have in this section?

Mr. GARLAND. I can not answer that question.

Mr. FUNK. That is a very important question. On the land I operate I will sink a 4-inch well 175 feet deep and provide water for the man who operates the land and for his stock, at a cost of three or four hundred dollars per well. I think that is a very important factor in this matter. If they have only 10-foot shallow wells, of course their water is probably contaminated.

DIG ARTESIAN WELLS OR BUY APOLLINARIS

In other words, the people of this section, who would not be living there if they were overblest with money, are asked to lay out from three to four hundred dollars to dig artesian wells. In the meantime I suppose my colleague will advise them to drink Apollinaris. On page 699 of the hearings this is what Colonel Bell, the Commissioner of the District, said:

Mr. COLLINS. If this was a private corporation, owned by you, and you were engaged in operating it for profit, and these people filed a petition with you asking for an extension of the mains out there, would you put them down?

Mr. GARLAND. That is a hard question to answer. I can not say that immediately I would; if I had the funds, however, I would think it would be my duty to extend that main.

Colonel BELL. I doubt whether we would. But we have an obligation to the people of the District, when we condemn their wells which give them their water supply, to provide a proper water supply if we can. It is in the interest of health and fire protection.

I was interested, and I got this report on polluting the wells. This is a letter from W. C. Fowler, the health officer, to Commissioner Bell:

In compliance with your instructions I have to report that the records of the health department show 24 wells located on premises on Alabama Avenue SE. between Fifteenth Street and Twenty-fifth Street and between Branch Avenue and Southern Avenue SE., such territory being included in the proposed lines of extension of water mains. Analysis of the samples taken from those wells since May, 1922, show in 5 instances, on the first analysis, water to be potable and 19 polluted. Secondly, after superficial conditions were corrected, two of the wells from which the water was found polluted on first examination were then found to be potable. A great majority of the wells referred to, however, even after cleaning and doing everything possible to correct the surface contamination, were still found to be polluted. Unfortunately the records of the health department do not show the depths of the respective wells.

Mr. Chairman, that is all I have to say on this proposition. The city condemns the wells and then denies the people of this section the opportunity to get water by extending an existing water main. Remember, the expense of this comes out of the water funds of the District. It does not come out of the Federal Government. The people pay for it themselves. It may be said that they are not able to pay for it now, and we will not get it all at once. Only 125 houses are affected in this section. Perhaps we will not get all of the money back, but if we lay these mains, we lay the foundation for the development of the section. It will grow up. It means increased revenue, it means increased assessments and increased tax revenue.

Mr. WEFALD. Have all of the rest of the water mains in the District been extended in the same manner?

Mr. GRIFFIN. Yes. I asked the water commissioner on that point about the other water mains. The District is full of water mains. Benning has them; Anacostia has them; Congress Heights has, but this section over here is absolutely neglected. I would not insist upon it except that this terrible condition confronts them.

Mr. ZIHLMAN. Mr. Chairman, will the gentleman yield?

Mr. GRIFFIN. Yes.

Mr. ZIHLMAN. Is this the same section of the city where the committee by reducing the quality of the paving over the recommendations of the Budget Bureau saved some \$75,000 or \$80,000?

Mr. GRIFFIN. Exactly.

Mr. ZIHLMAN. The southeast section.

THE DISTRICT SHOULD HAVE NO STEPCHILDREN

Mr. GRIFFIN. We ought not to have any stepchildren in the District of Columbia.

Mr. ZIHLMAN. And the gentleman contends that sewers and water ought to be extended and made available to all sections of the city?

Mr. GRIFFIN. They are prime essentials.

Mr. O'CONNELL of New York. The principal thing provided in the gentleman's proposition is the conservation of the health of the families in these 125 houses.

Mr. GRIFFIN. That is the idea, and, furthermore, fire protection.

Mr. FUNK. Mr. Chairman, I have no personal interest in this matter. The action of your committee was based upon the following reasons: Here is an item of \$42,000 for the purpose of running a 12-inch water main 2 miles to accommodate five or six hundred people. The real purpose of this expenditure, as I view it, is to carry the water mains to the District line, beyond which is a considerable group of people, and after the water main has been constructed and put in, then it will follow that our good friends from Maryland will ask the privilege of attaching to the 12-inch main so as to have practically free water without any investment in a pumping plant or anything else. I have no interest in it except as a business man, but I do not think we should spend \$42,000 on such a proposition, I do not care whose money it is, whether the water fund or the taxpayers' money, which will merely accommodate about five or six hundred people. There is a mile or a mile and a half of undeveloped territory or farm land before you reach this little fringe of houses right on the District line. How many Members of this House have a community, a district of 500 people who would bond themselves for \$42,000 for water works. I have fifty or a hundred such communities in my district, and I do not know of one which would voluntarily vote to bond themselves in the amount of \$42,000 where the population is only four, five, or six hundred. Those are the facts and reasons which control your committee. The cost is \$5 a foot, and when the District revenues are finally reimbursed there will be about 80 cents a running foot.

Mr. COLLINS. Colonel Bell says that is undivided property and that no assessment would be made against the property owner.

Mr. FUNK. I realize we have taken much longer than I anticipated, and I do not care to prolong the discussion.

Mr. ZIHLMAN. Will the gentleman yield for one question?

Mr. FUNK. Yes, sir.

Mr. ZIHLMAN. Will the gentleman cite any instance where the citizens of Maryland are using District water by connecting up; I have not heard of it.

Mr. FUNK. I know there was a proposition from Virginia to get water across Chain Bridge which was turned down.

Mr. ZIHLMAN. I will say that Congress authorized that at the present session of Congress.

Mr. FUNK. They did not do it by my vote.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York.

The question was taken, and the Chair announced the noes appeared to have it.

On a division (demanded by Mr. GRIFFIN) there were—ayes 7, noes 36.

So the amendment was rejected.

Mr. GRIFFIN. Mr. Chairman, I offer another amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 84, preceding the matter in line 11, insert the following: "For the laying of 4,300 feet of a 12-inch water main in Alabama Avenue SE. from Fifteenth Street to a point opposite Garfield School, \$20,700."

Mr. GRIFFIN. Mr. Chairman and colleagues, notwithstanding the fact that the amendment for the building of this other water main has been ignominiously defeated I will say that I am not downhearted. I am going to go through with this work because I believe I am right. I am sorry I can not stir my colleagues of this House, which is the legislative body, and ought to be the protectors of this District, to see the importance of safeguarding the health of its inhabitants. They may be very humble, but they are human beings. Put on your thinking caps, think of yourselves; stir up your hearts, animate your souls and be a little bit liberal.

This amendment I offer to you is for only 4,300 feet of water main from Fifteenth Street to Twenty-fifth Street, between water mains already in existence. Will you gentlemen look at that map and see what it is for? It is the necessary connecting link to connect up two existing water mains. That is all it does, and at the expense of only a few thousand dollars. Then as my friend from Maryland said, we saved \$75,000 out of this District by cutting down their item for paving. Now let us warm up a little and give these people at least this much needed relief.

The people in this stretch of territory—4,300 feet—are in a bad way. It is rather ungenerous to ask them to walk 2,000 feet—over a third of a mile—to the nearest hydrant.

Mr. FUNK. Mr. Chairman, I rise in opposition to say one word. This proposition is on all fours with the other, except these people do have water and both schools referred to have water in the school buildings. I am opposed to the amendment.

Mr. GRIFFIN. Mr. Chairman, will the gentleman yield at that point?

Mr. FUNK. Yes.

Mr. GRIFFIN. Where do they get their water from? From the end; and they have got to walk up to the end, 2,000 feet, in each case.

Mr. FUNK. There is a hydrant right there.

Mr. GRIFFIN. The people there have to walk 2,000 feet.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from New York [Mr. GRIFFIN]. The question was taken, and the Chairman announced that the noes appeared to have it.

Mr. GRIFFIN. A division, Mr. Chairman.

The CHAIRMAN. The gentleman from New York calls for a division.

The committee divided; and there were—ayes 4, noes 47.

So the amendment was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

For the laying of approximately 21,000 feet of 48-inch water main from the intersection of Nebraska and Wisconsin Avenues to Georgia Avenue and Military Road, and for an addition to Reno Reservoir, \$700,000, to be available immediately, of which amount \$363,500 shall be paid from the revenues of the water department and \$336,500 from the revenues of the District of Columbia.

Mr. TREADWAY. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Massachusetts moves to strike out the last word.

Mr. TREADWAY. And ask unanimous consent to proceed for five minutes out of order.

The CHAIRMAN. The gentleman from Massachusetts asks unanimous consent to proceed for five minutes out of order. Is there objection?

There was no objection.

Mr. TREADWAY. Mr. Chairman, in this morning's mail I received a letter from a publication called the National Tribune, printed in Washington, finding fault that Members of Congress are not printing in the Record their letters advertising themselves in connection with pension matters. I have been looking into this matter a little, because I have received letters from some elderly pensioners saying that every little while they receive a communication from the National Tribune asking them for a subscription.

I sent a post-office inspector a short time ago to one of these widow ladies, an elderly woman unable to write very distinctly and probably with a mind not as keen as those possessed by Members of Congress. She thought that every time a letter like that came, in order to do anything toward future pensions, she should pay money to this organization—a grossly erroneous impression, or a representation that carried a wrong impression to this lady. By the way, the lady writes me that she has \$30 in bank, of which she sent \$8 to this publication down town.

The post-office inspector found that on the last wrapper of the National Tribune it appeared that her subscription had been paid to 1933! The chances are that this elderly lady will be dead and buried before that time expires and that the National Tribune will be that much the gainer.

I find further that our former highly respected Member from Illinois, Mr. Fuller, now deceased, in the last speech he made in this House referred to this abuse on the part of the National Tribune on the susceptibility of widows and soldiers of the Civil War. He called the National Tribune and its editors pretty plain names in his speech of April 6, 1926.

I know of no better way to convince these poor women that they are being deceived by this publication than to bring it to the attention of the Members of the House in this manner. There is no use in writing to the National Tribune to stop this method of solicitation, which has been going on for a number of years. The only thing we can do is to make it known that these widows and soldiers of the Civil War should not consider the National Tribune as their Bible. They ought, as this widow did when she appealed to me, to find out why these sums of money are being demanded almost monthly by a publication which does them no good, and which does the cause for which this publication pretends to be striving undue harm.

I hope my colleagues will answer letters similar to the one I have received in the way they ought to be answered. I am going to do it, and I ask the rest of you to help me. We ought to call attention to this publication in such a way that it can

not continue to draw the few dollars of the widows out of their purses for private gain. [Applause.]

Mr. BLANTON. Is there any indication of a purpose to use the mails to defraud?

Mr. TREADWAY. Yes. That is why I wrote to the Post Office Department. I am afraid that they are just smart enough not to come within the provisions of the law. But I certainly shall refer such letters to the department. I hope the Members will do all they can to inform their constituents of the method of the National Tribune, and that they neither need to send subscriptions or pay dues to this publication to secure their pensions from the Government.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

That any person employed under any of the provisions of this act who has been employed for 10 consecutive months or more shall not be denied the leave of absence with pay for which the law provides.

MESSAGE FROM THE SENATE

The committee informally rose; and the Speaker having resumed the chair, a message from the Senate, by Mr. Craven, its principal clerk, announced that the Senate insists upon its amendments to the bill (H. R. 15547) entitled "An act to authorize appropriations for construction at military posts, and for other purposes," disagreed to by the House of Representatives, and agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and had appointed as conferees on the part of the Senate, Mr. WADSWORTH, Mr. REED of Pennsylvania, Mr. BINGHAM, Mr. FLETCHER, and Mr. SHEPPARD.

The message also announced that the Senate insists upon its amendment to the bill (H. R. 10728) entitled "An act authorizing the Secretary of War to convey to the Association Siervas de Maria, San Juan, Porto Rico, certain property in the city of San Juan, Porto Rico, disagreed to by the House of Representatives, and agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon and had appointed as conferees on the part of the Senate, Mr. WADSWORTH, Mr. REED of Pennsylvania, Mr. BINGHAM, Mr. FLETCHER, and Mr. SHEPPARD.

The message also announced that the Senate insists upon its amendment to the bill (H. R. 11615) entitled "An act providing for the cession to the State of Virginia of sovereignty over a tract of land located at Battery Cove, near Alexandria, Va.," disagreed to by the House of Representatives, and agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and had appointed as conferees on the part of the Senate, Mr. WADSWORTH, Mr. REED of Pennsylvania, and Mr. FLETCHER.

The message also announced that the Senate had agreed to the amendments of the House of Representatives to the bill (S. 3928), "An act authorizing the designation of an ex-officio commissioner for Alaska for each of the executive departments of the United States, and for other purposes."

DISTRICT OF COLUMBIA APPROPRIATION BILL

The committee resumed its session.

Mr. COLLINS. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Mississippi moves to strike out the last word.

Mr. COLLINS. Mr. Chairman, many of the Members of this House have been good enough to commend the bill brought in by our subcommittee of the Appropriations Committee both for this and last year, and I want to suggest right here that much of the completeness and thoroughness of these measures are due to the splendid chairman of this subcommittee, FRANK H. FUNK. He has worked with a conscientious zeal at all times to achieve the best results from the tasks of our subcommittee. He has striven to give the District adequate appropriations consistent with its needs and the public welfare. He has remained painstaking and fair under all conditions and, above all, uniformly courteous to all in the progress of our work. His fellow members do not wonder why he has been of such signal help to corn growers throughout the land in whose behalf he has labored by means of untiring experiments that have brought into being better grades of corn.

We have glimpsed his intelligent insight into vexatious problems and learned his efficient manner of meeting worry and grappling with it. Certain it is that he completes his work with our subcommittee adorned with the affection and unstinted admiration of every member of it—Republican or Democrat—and I wish for him, whether he enter the private pursuits of life or again the arena of public office, the unmeasured success that a friend wishes for one he feels to be right-thinking, honest,

warm-hearted, patriotic, and sincere. [Applause, the Members rising.]

Mr. SIMMONS. Mr. Chairman, it is a privilege, on behalf of other members of the Appropriations Committee, to add just a few words to those that have been spoken with reference to our beloved colleague, FRANK FUNK. We men who have served with him on this subcommittee have learned to love him as one man learns to love another in whom he finds by personal acquaintance those true characteristics that go to make up sterling American manhood.

Mr. FUNK has brought to the Congress, to the Appropriations Committee, and to the service of the District of Columbia a great wealth of practical business experience and judgment. We have found him in the committee always open-minded, always courteous, and always fair. He goes out from the service of this committee and of the Congress with the best and most sincere wishes of his colleagues on the subcommittee, the main Committee on Appropriations, and I am certain, also, with the best wishes of the Congress, no matter what task he may take upon himself in the years that are to come. Fortunate, indeed, are we who have been privileged to serve with him, fortunate, too, those whom he has served while here, and fortunate, also, will be those who may hereafter secure his services. [Applause.]

The pro forma amendment was withdrawn.

The Clerk concluded the reading of the bill.

Mr. KETCHAM. Mr. Chairman, I want to reserve a point of order against the language found in lines 1 and 2 at the top of page 89, the lines in question being, "in accordance with the regulations of the General Supply Committee or." I think that is clearly legislation but I do not want to press the point of order if there is any good reason for the inclusion of that language in this section.

Mr. FUNK. Mr. Chairman, I think I can satisfy the gentleman. Your subcommittee went into that matter very thoroughly in connection with Mr. Brown, of the Bureau of Efficiency, and we investigated what the General Supply Committee is doing for the Federal Government.

When the General Supply Committee was first organized and established each department, bureau, and division of the Government wanted to be exempted and excepted from the provisions of the General Supply Committee act, claiming they had special reasons and conditions whereby they could not function properly; but as a business man I can not see any reason why purchases made on behalf of the District of Columbia government should not come under the operations of the General Supply Committee. Here is a great committee, that is familiar with markets and prices, and it establishes schedules whereby the various departments of the Government may make their purchases at agreed contract prices. Now, it is just a matter of good business for the District of Columbia to make its purchases in that way.

Mr. KETCHAM. I agree that as an argument that is very splendid, but it occurs to me also that in cases where the District Commissioners might purchase at a less price, as the hearings show they are able to do in connection with at least 20 items, they ought to be given that privilege, so that this language ought to provide that they be given their choice. Will the gentleman please cover that point?

Mr. FUNK. The General Supply Committee, of course, makes purchases for the Federal Government amounting to millions and tens of millions of dollars. It is fair to assume that in buying in great quantities they get the very bedrock and bottom price that comes through quantity purchases, and furthermore, this bill has been drawn and written on the theory that this language would not be seriously objected to and that the purchases on behalf of the District government would be made through the General Supply Committee. It is possible that there might be occasional items that the District could run around and buy slightly cheaper; but this is good business; it coordinates the activities of the District government with the Federal Government, and I think it ought to be given a trial for at least one year.

Mr. KETCHAM. The gentleman thinks the language is subject to a point of order if it were pressed?

Mr. FUNK. I concede that.

Mr. KETCHAM. I shall not press it.

Mr. FUNK. Mr. Chairman, I move that the committee do now rise and report the bill back to the House with the amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. CHINDBLOM, Chairman of the Committee of the Whole House on the state of the Union, reported that

that committee having had under consideration the bill (H. R. 16800) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenue of such District for the fiscal year ending June 30, 1928, and for other purposes, had directed him to report the same back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

Mr. FUNK. Mr. Speaker, I move the previous question on the bill and amendments to final passage.

The previous question was ordered.

The SPEAKER. Is a separate vote demanded on any amendment? If not, the Chair will put them en gros. The question is on agreeing to the amendments.

The amendments were agreed to.

The SPEAKER. The question is now on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. FUNK, a motion to reconsider the vote whereby the bill was passed was laid on the table.

LEGISLATIVE APPROPRIATION BILL

Mr. DICKINSON of Iowa. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 16863) making appropriations for the legislative branch of the Government for the fiscal year ending June 30, 1928, and for other purposes; and pending that motion, I would like to ask unanimous consent that for the present the time be equally divided and controlled by the gentleman from Colorado [Mr. TAYLOR] and myself.

The SPEAKER. The gentleman from Iowa asks unanimous consent that general debate on the bill be controlled one-half by himself and one-half by the gentleman from Colorado. Is there objection?

There was no objection.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 16863, the legislative appropriation bill, with Mr. TINCHEP in the chair.

The Clerk read the title of the bill.

Mr. DICKINSON of Iowa. Mr. Chairman, I ask unanimous consent that the first reading of the bill be dispensed with.

The CHAIRMAN. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. DICKINSON of Iowa. Mr. Chairman, I yield 30 minutes to the gentleman from Minnesota [Mr. NEWTON]. [Applause.]

Mr. NEWTON of Minnesota. Mr. Chairman, this coming week the House will consider the 1927, or third Haugen bill. The first one was considered in 1924. By the fixing of a ratio price it fixed a domestic price comparable with the all commodities index price. In the 1926 bill the ratio-price scheme was abandoned for one which would fix and maintain a domestic price on certain basic commodities of which we have more or less of an exportable surplus. This domestic price was to equal the world price plus the tariff. The 1926 bill was clothed in different and to some, what appeared to be, more attractive garments. The 1927 bill was drafted with the same basic idea as the 1926 bill. It has been changed in some details. For example, the tariff yard stick has been eliminated. There is no provision for an embargo on importations of basic commodities while the control is in operation. In some of its details this latest bill is more unsound and unworkable than its predecessors. In other words, in spite of changes in detail, this bill has all of the essential principles of the 1926 Haugen bill and is open to the same and probably more objections.

The 1924 bill had substantial farmer support, but little support elsewhere. It was decisively beaten in the House and failed even of consideration in the Senate. In 1926, in my judgment, there was in my part of the country less of a cry from the farmers for this character of legislation than there was in 1924. But the ranks of those who did want this legislation were swelled by others whose business was being adversely and directly affected by the condition of the farmer. I refer to farm-land investments, mortgages, and so forth. This bill failed of passage in both Houses.

In 1927, when a good many farmers have ceased to expect relief of this kind and are spending little time in asking for it, we find the ranks of those who are demanding this sort of legislation further increased. Among them are those who are interested in commencing a major political engagement in the Nation, which will be staged possibly in about one year from

now. With this help the proponents of this legislation hope to make better progress in 1927 than they made in 1924 and 1926.

Mr. Chairman, I opposed this bill in 1924, again in 1926, and I am opposed to it to-day. I am opposed to it for I am convinced that if passed and put into effect that the farmer whom it is designed to benefit will not only not profit from it but will suffer substantial loss if it is enacted. It is possible that farm values might be temporarily stimulated. The ultimate effect, however, would be to further depress farm values. In the long run all would be detrimentally affected by this legislation.

Just what does the 1927 Haugen bill do? Its purpose as to certain commodities of which it is claimed we have an exportable surplus is to raise the domestic price so that it will equal the world price plus the tariff. Further details I shall discuss later.

The occasion for this control and admitted interference with the laws of supply and demand is the shrinkage in the purchasing power of the farmer's dollar as compared with this purchasing power prior to the war. In other words, it is claimed that a dollar's worth of farmer products will not purchase as much—compared with a dollar's worth of other commodities—as the farmer's dollar in pre-war times. I want to see a restoration of a normal balance between the price of farm and other commodities. I feel, however, that this can not be done by the provisions of the Haugen bill. We have been making progress in that line. In 1921 the farmer's dollar, as compared with the dollar of nonagricultural commodities, was 51 cents below. To date it has been raised so that it is now about 18 or 20 cents below that figure. This shows a coming together of this disparity in prices. This has been due in part to sound and helpful legislation. There can be no question but that the emergency tariff law of 1921 assisted the farmer materially. He was further assisted by the more highly protective provision of the Fordney tariff law of 1922. As to wheat and butter, he has been even more highly protected by increase in the duties on those products through the efforts of the Tariff Commission under the flexible conditions of the Fordney law.

It is claimed by some that the farmer buys in a protected market and sells in an unprotected market. I deny this. As a matter of fact, the farmer enjoys substantial protection upon practically everything that he produces. Ninety per cent of the products of the farmer are consumed in this country. This is his big market. He is protected in the enjoyment of that market to the very fullest extent. He has practically no competition coming in from abroad. It is infinitesimal when compared with the total consumption of his products here. The late Senator Knute Nelson said in my presence just prior to the final passage of the Fordney bill that the farmers of the country had been given practically every duty that they had asked for. Those of us who were here during the hearings and debate on the Fordney bill know that that statement is absolutely true. The farmer never had a better friend than Senator Knute Nelson. Later on I shall demonstrate how, as to wheat, the farmer gets substantial benefit from the protective tariff on this commodity. Included among a large number of items on the free list are farm machinery, manufactured leather goods, oil, lumber, and so forth.

Mr. Chairman, this Haugen bill, like its predecessors, is unsound in theory, violates all economic laws, would be found unworkable in practice, and do the farmer incalculable harm if put into effect.

As to its economic unsoundness, let me elaborate: This bill will stimulate overproduction. That is one of the causes of the farmer's present trouble. All recognize this and the difficulties in controlling production in an industry so individualistic as that of the farmer. Why will this bill stimulate production? The obvious purpose is to increase the domestic price. That is in itself an inducement for the farmer to plant more. There is always an increased acreage put to wheat following a year of high prices. Prior to 1914 the wheat acreage in this country remained fairly stable. At that time the average farm price per bushel was under \$1. In the following five years the wheat acreage in this country increased until in 1919 it reached 76,500,000 acres. When the slump in prices came, acreage was decreased, but, following the high prices of 1924, the acreage was increased 5,000,000 acres, or 10 per cent. There has been an increase in the winter-wheat acreage for this coming crop year of 5 per cent, notwithstanding all of the talk that we have heard about low prices.

To-day, while we are producing about as much wheat per capita as we did 25 years ago, we are consuming, per capita, more than 1 bushel less per annum. The per capita consumption 25 years ago was 5.47 bushels; in 1925 it had dropped to 4.26 bushels. This amounts to over 20 per cent and represents

a decline in consumption equivalent to 125,000,000 bushels annually. It would seem, therefore, that the wheat farmers' problem is more one of declining consumption than the handling of exportable surpluses. The same thing is true of cotton. For a period of 40 consecutive months the average farm price of cotton never fell below 20 cents a pound. Much of the time it was higher. Under this stimulus the cotton farmer increased his acreage from 30,000,000 in 1921 to 47,653,000 in 1926. Gentlemen, it is a losing game to chase prices with acreage. That is exactly what this bill will do. Surely the proponents of this legislation should make provision in the law so that if acreage or production is increased following the first year of control, that the control shall then cease to operate.

The bill is also unsound in that it will project the Government into the business of buying, processing, selling, or otherwise handling and disposing of these basic commodities. They are necessities of life. The aggregate value of their products annually amounts to several billions of dollars. I do not want to turn this great business involving the necessities of life to be controlled by any governmental agency. The powers given to the Federal board under this act are far greater than were held by the Food Administration during the World War. Let us examine this bill in detail.

There is created a Federal farm board of 12 members, one from each of our Federal land-bank districts. They are appointed by the President—one from each district. He must select them from a list of three eligibles whose names are submitted by a nominating committee of five. Four of the five members of this nominating committee are elected by farm organizations and cooperatives in the land-bank districts. The other is appointed by the Secretary of Agriculture. Members of the Federal farm board must be citizens of the United States. No other qualification is prescribed in the law. They draw \$10,000 annually. It is this board which is given control of these basic agricultural commodities.

The board is authorized to put the control into effect whenever it finds that there is or may be a surplus of a given commodity during the ensuing year (1) above the domestic requirements or (2) a surplus above the orderly marketing. This latter term is so flexible as to permit the putting into operation of the control whenever the board wants to do so. The only restrictions upon the board are that it shall not commence or terminate control unless members of the board representing districts producing more than 50 per cent of the commodity acquiesce therein. There is a further provision that the control must be desired by the advisory council for the commodity and a substantial number of cooperatives engaged in that commodity.

The surplus is to be removed, withheld, or otherwise disposed of by the board contracting with cooperatives handling the commodity controlled or with associations created by them or with persons engaged in processing the commodity. By processing is meant the milling of wheat, the ginning of cotton, the creation of 1,000 or more of pork products, and so forth.

Provision is made for the payment by the board of the "losses, costs, and charges" of the concern disposing of the commodity. The words "remove" and "dispose" may very well mean "destroy." Whether destruction of these basic commodities is contemplated I do not know. It would appear that the board will have power under the terms and provisions of this act to make agreements permitting of this and can assume the burden of paying for its being done.

Public money is to be advanced for the doing of all of this. A revolving fund of \$250,000,000 is authorized to be paid out of the Treasury in order to commence the financing of operations of this governmental control. This sum will not last long in operating in any basic commodities. It is to be reimbursed from a fund to be created by the payment of an equalization fee. This fee is to be fixed by the board. There is no appeal from its decision to anyone. Neither is there an appeal from its decision in putting the control into effect. The exercise of their discretion under the terms of the bill is final. The equalization fee is to be collected upon every unit of the commodity placed under control. The collection is to be made upon either the "sale, processing, or transportation" of such unit. For example, upon each bushel of wheat and pound of swine, and so forth, the fee will be levied.

It must be evident that this scheme will project the Government through its agents into the business of buying and selling these commodities. It means price fixing by the board, because the board must obviously direct the exporter, miller, packer, or other processor as to quantities and prices at which they must buy and sell. Otherwise the scheme would give the packers, millers, and so forth, carte blanche to deal in these commodities without restriction as to either price or volume. Bear in mind that "losses, costs, and charges" are to be borne by the board out of its funds.

It must be obvious that to undertake to pay the losses to any commercial concern of any portion of its products means that this portion will embrace all of the residues upon which no profit can be earned in the domestic market. This constitutes a practical guarantee of unlimited profits in the domestic market. Surely neither farmer nor consumer wants this. It must follow unless the board regulates purchases and sales, in both price and volume, that this will happen. The moment the board does do this it is direct price fixing and nothing else.

Furthermore, if a price is not fixed by the board, there will certainly follow in the operation of this control a discrimination against those farmers who, through lack of storage facilities or shortage of funds, can not hold their wheat for the maximum price. He will pay the same equalization fee as his more fortunate neighbor. To illustrate. The board estimates a probable surplus and puts the control into effect. This probable surplus is estimated at 200,000,000 bushels. The total crop is 800,000,000 bushels. The control goes into effect July 1. That is the beginning of the crop year. Let us assume that at that time the world price is \$1 per bushel. The domestic price is \$1.15. By putting the control into effect, the board seeks to advance the domestic price where it will eventually equal the world price plus the tariff and freight. If the tariff is 42 cents and the freight say 12 cents, the price sought to be attained will be \$1.54. Through the agencies appointed the wheat is bought at the then domestic price of \$1.15. The buying is continued from time to time until the entire surplus of 200,000,000 bushels is purchased. The domestic price will then reach the world price plus tariff and freight, or \$1.54. The first farmer who sold would sell at the then domestic-market price of \$1.15. The others selling somewhat later would receive amounts in excess of that figure.

The last purchases would be made at close to \$1.54. It will be observed that the first farmer and the last farmer, and all in between, will be required to pay the same equalization fee. It will also be observed that the first farmer to sell would get practically no benefit from the control. He would be selling at the then domestic price before continued buying had shoved the price up. Notwithstanding this, he would have to pay the same equalization fee as his more fortunate neighbor who did not sell until the price had practically reached the top figure. Is the first farmer going to be satisfied to have a Government agency treat him in this discriminating fashion? Of course not. He will not stand for it. Those equally or slightly less unfortunate will not stand for it. Complaints will come in. Out of it all will come a fixing by the board, in the first instance, of a price equal to the then world price plus tariff and freight and the payment of that price to each and every farmer. This, of course, would be price fixing, pure and simple.

Mr. Chairman, this bill is not only economically unsound, but it is wholly impractical in operation. There are five basic commodities: Cotton, wheat, corn, rice, and swine. The keystone of this legislative arch is the so-called equalization fee. This is the one feature that the advocates of this bill have insisted upon. They have refused to consider any kind of legislation which did not embody this idea. The equalization fee can not be applied to cotton. We export 60 per cent of the cotton produced in this country. No tariff duty is laid on cotton imports. Take corn. We produce two and one-half billion bushels of corn annually. The greater percentage of this is consumed on the farm. An infinitesimal portion goes into export trade. It is practically nil. It is at least doubtful if the equalization fee could be successful applied to corn. If put into effect and it works, the farmer with a short corn crop and hogs to feed should understand that he would pay the bill. Application to swine is equally doubtful. Our pork exports of all kinds are less than 10 per cent of our gross production. As to rice, we import substantially more than we export, and my impression is that we import more than we produce. If these facts are true, the equalization plan can not operate as to rice.

But if the Hansen bill will work at all, it will work on wheat. The agitation for this legislation commenced three or four years ago. We now know just what the market was on wheat during that period. We know what the production was during those years. The average yearly production of wheat in the period July 1, 1923, to July 1, 1926, was just under 800,000,000 bushels. Of this amount during that period the spring wheat farmer produced on an average of 153,000,000 bushels annually. His principal market, which is the city of Minneapolis, is the greatest primary wheat market in the world. His greatest competitor is his neighbor, the Canadian wheat farmer. Our best grade of spring wheat is No. 1 dark northern. Its comparable grade in Canada is No. 3 Manitoba northern. Its primary market is Winnipeg. Canada has produced in recent years a crop fluctuating in its total annual yield from 250,000,000 bushels to 470,000,000 bushels. In the

main the fluctuations have been due to differences in climatic conditions. Prices as to these markets during this three-year period are available. I have had tables prepared showing a comparison of the prices of these two comparable grades during this three-year period of 157 weeks. They show the average weekly high price of No. 1 dark northern at Minneapolis and the average weekly high price of No. 3 Manitoba northern at Winnipeg. It is possible thereby to make a comparison. The basis for my figures is the "Wheat Studies" gotten out by the Food Research Institute of Leland Stanford University. Their reliability can not be questioned. I shall illustrate the tables with two charts. You will note from Chart I that the Minneapolis price is always substantially higher than the Winnipeg price. In some instances it is higher by from 50 to 60 cents. The average over the Winnipeg price the first year is 34.2 cents. In the second year—Canada had a crop failure that year—it is 26.15 cents. In the last year it is 36.42 cents. In 72 weeks out of 157 the differential in favor of Minneapolis is over 35 cents. In 99 weeks it exceeds 30 cents. In 121 weeks it is over 20 cents. In 135 weeks it is over 20 cents, and in 152 weeks it is over 10 cents.

Let us glance at the last crop year, July 1, 1925, to June 30, 1926. The Minneapolis price for No. 1 dark northern exceeded the No. 3 Manitoba northern price by 40 cents in 20 weeks, by 35 cents in 29 weeks, by 30 cents in 34 weeks, by 25 cents in 43 weeks, by 20 cents in 51 weeks, and by 10 cents in 52 weeks.

Why was this? On account of the tariff of 42 cents per bushel which was effective to some extent during the entire period and which was completely in effect during a substantial portion of that period.

It should be borne in mind that while the mills throughout a given year pay a price which is far above the Canadian price, and almost equal to the Canadian price plus the tariff, that they will be unable to pay this figure if they are required to pay an equalization fee upon every bushel of wheat processed. If the equalization fee is 10 cents, they will pay 10 cents less than they otherwise would pay. In the major portion of the weeks during this three-year period the farmer in our part of the country would certainly get less for his wheat than he would if there were no equalization fee levied.

This fact also should be borne in mind: The board, in fixing the price, could never fix the price at exactly the world price plus the tariff. For example, assume that the world price is \$1. The tariff is 42 cents. The very moment that the price in this country reached that figure the American purchaser could afford to pay the tariff duty. Canadian wheat would come in. But the importation into this country of wheat from Canada would add to our troubles, for it would increase the available surplus. It would add to the quantity of wheat which we would have to sell abroad at whatever the market there would bring. It is expected that this surplus will be sold at a loss and the purpose of the collection of the equalization fee is to pay that loss.

The former Haugen bill contained an embargo provision which would have made it possible to prohibit the importation of wheat into this country. There is no embargo provision in this bill. This wheat can and will come over whenever the price in this country is above the Canadian price plus the tariff. Therefore the board in establishing the price to be paid will have to keep well within the price of \$1.42 in order to provide against fluctuations and advances to bring the price up to the Canadian price plus the tariff. They will probably have to maintain this price about 10 cents below the figure of \$1.42. This would make a differential of 32 cents. The chart shows that the farmer enjoyed a differential of this character for two-thirds of this three-year period without at the same time being obligated to pay an equalization fee. Under the Haugen bill he would get no more than this figure, and in addition he would have to pay an equalization fee of from at least 10 to 15 cents per bushel. This would bring the differential down to 22 cents or 17 cents, depending upon the equalization fee.

It will be observed from these tables and this chart that in 121 weeks out of the 157 weeks during the past three years that the Minneapolis market was over the Winnipeg market by over 25 cents. Frankly, gentlemen, I do not see how anyone can be for this Haugen bill if he will only analyze it and then compare it with actual market conditions.

The CHAIRMAN. The time of the gentleman from Minnesota has expired.

Mr. DICKINSON of Iowa. Mr. Chairman, I yield to the gentleman 15 minutes more.

The CHAIRMAN. The gentleman from Minnesota is recognized for 15 minutes more.

Mr. NEWTON of Minnesota. We start here in the beginning of the year 1923, in July, with the Winnipeg price, which is

below \$1.10; the Minneapolis price on No. 1 northern is just about \$1.32. You will note that at times the differential was as high as 40 cents and averaged over 34 cents throughout the year.

Mr. CLAGUE. Mr. Chairman, will the gentleman yield?

Mr. NEWTON of Minnesota. Yes.

Mr. CLAGUE. Would you state right there the freight rate?

Mr. NEWTON of Minnesota. I tried to get that, but I could not find my last year's notes on it.

Mr. MORGAN. It is a little less than 12 cents.

Mr. NEWTON of Minnesota. It is something between 8 and 12 cents.

Mr. FORT. Where from?

Mr. NEWTON of Minnesota. We are referring to Winnipeg and Minneapolis markets.

Mr. FORT. It is about 12 cents.

Mr. NEWTON of Minnesota. So you see we had a very substantial protection there from 1923 to 1924. There was less of fluctuation than during the years 1924 and 1925. In 1924 they had a short crop in Canada. That is responsible for the Winnipeg price going up. But at the same time you will note that the Minneapolis price went up. The situation was again different in the year 1925 to 1926. But with all of these fluctuations, it is apparent that the tariff was effective and that at times the differential in favor of the Minneapolis market was as high as 50 cents.

Mr. SUMMERS of Washington. Mr. Chairman, will the gentleman yield?

Mr. NEWTON of Minnesota. Yes.

Mr. SUMMERS of Washington. The tables there, I notice, refer to dark northern spring wheat. Can the gentleman tell us how much of that is produced in the United States?

Mr. NEWTON of Minnesota. I can give it to the gentleman exactly. I think on the average of five years the hard spring crop was about 153,000,000 bushels.

Mr. SUMMERS of Washington. Something like 20 per cent of the entire wheat production in the United States. Can the gentleman show from the table the spread and the result of the tariff and so on, on the other 80 per cent?

Mr. NEWTON of Minnesota. Yes. In a moment. I have been referring to spring wheat. I also have some like interesting figures in reference to the No. 2 hard winter at the Kansas City market, and No. 2 red winter at the St. Louis market. The combined production of hard winter and red winter for 1925-26 totaled 550,000,000 bushels. These No. 2 grades compare in price and for milling with No. 1 dark northern and No. 3 Manitoba northern. I have the tables showing the prices paid for these respective grades at their primary markets based on the average weekly cash price. Weighted averages are given. Chart No. 2 will more graphically set forth a comparison of the market prices of these representative and comparable grades of milling wheat. In the time that I had at my disposal, I was unable to get the figures together for the last three years. Generally speaking, the market on these winter wheats during the other two years was fairly comparable with the market on the spring wheat during that period.

Looking at the chart, it will be observed that No. 2 hard winter wheat at Kansas City ranged substantially above the price of No. 3 Manitoba northern at Winnipeg. This wheat was above the Canadian wheat in all but two of the 47 weeks indicated. It was more than \$0.10 above in 42 weeks; it was more than \$0.20 above in 25 weeks; in 22 weeks it was more than \$0.25 higher. In 15 weeks it was above by over \$0.32; in 7 weeks it exceeded Winnipeg prices by more than \$0.35; and in 1 week, it topped the Winnipeg price by more than \$0.42. The average above Winnipeg during the year was \$0.22.

Note the No. 2 red winter wheat at St. Louis and how it compared with this Canadian wheat of comparable grade. In 17 weeks it was more than \$0.40 higher; in 24 weeks in excess of \$0.35; in 27 weeks in excess of \$0.30; in 32 weeks it was more than \$0.25 higher; in 38 weeks out of 47 it was more than \$0.20 higher; and in 42 weeks it was more than \$0.10 higher. The average throughout the year shows No. 2 red winter to have been \$0.31 higher than the Canadian wheat.

This shows that not only is the tariff of 42 cents per bushel effective in whole or in part upon spring wheat, which naturally comes into direct competition with Canadian wheat, but that the tariff is also affected in the case of hard winter wheat, and especially is it effective in reference to the red winter wheat at St. Louis. The average of the weekly cash price of No. 2 red winter at St. Louis throughout that year was \$1.73. Now, then, let us make this comparison: This price would have been higher than the price of No. 3 Manitoba northern at Winnipeg, plus the tariff during 8 out of the 47 weeks. The figures show not only no occasion for the putting of the control into effect,

but that the control would have invited importation into this country of the Canadian surplus of this competitive milling wheat.

Mr. MORGAN. Mr. Chairman, will the gentleman yield there for a question?

Mr. NEWTON of Minnesota. Gladly.

Mr. MORGAN. Particularly does the protective tariff apply when the surplus-crop movement is on in the wide extreme shown there on the map?

Mr. NEWTON of Minnesota. Yes; and during the heavy crop movement, where a man who has to sell, who does not have the storage facilities to store grain, is forced to unload.

Mr. MORGAN. When it moves from the farmer in September and October he gets the full protection of it, because of the fact that the spread between the Canadian price and the United States price is due to the tariff?

Mr. NEWTON of Minnesota. Yes.

Mr. ACKERMAN. Mr. Chairman, will the gentleman yield?

Mr. NEWTON of Minnesota. Yes.

Mr. ACKERMAN. Does the low line indicate the price of Canadian wheat in Canada?

Mr. NEWTON of Minnesota. Yes; the Winnipeg price.

Mr. ACKERMAN. It has nothing to do with the duty?

Mr. NEWTON of Minnesota. Oh, no. The other prices are the Minneapolis market price and the Kansas City market price and the St. Louis market price. All on comparable grades.

Mr. MORGAN. The farmers receive the benefit of the tariff because they are selling at that period, and later in the season there is not the same corresponding benefit, as is shown by the gentleman's chart?

Mr. NEWTON of Minnesota. It is apparent that the wheat farmer gets substantial benefit from the tariff, and he does not now have to pay an equalization fee.

Now, answering the question of the gentleman from Washington [Mr. SUMMERS]. The first chart gives the spring wheat. The second chart gives not only the spring but the hard winter wheat, at Kansas City and the red winter at St. Louis. It likewise gives the price on No. 3 Manitoba northern so that a comparison of the price on these different grades of milling wheat can be made.

Mr. SUMMERS of Washington. That covers how much?

Mr. NEWTON of Minnesota. These kinds cover a very substantial portion of the total wheat crop. I would say that covers from 500,000,000 to 600,000,000 bushels of the total wheat crop. I am only approximating; it might be a little less than that; possibly I might be 50,000,000 bushels off.

Mr. SUMMERS of Washington. The gentleman does not contend that we get the full benefit of the tariff on the average grade of wheat to the extent that we get it on this particular quality.

Mr. NEWTON of Minnesota. These are average-milling grades.

Mr. SUMMERS of Washington. Not the chart before us?

Mr. NEWTON of Minnesota. I will say this: The gentleman noticed that in Chart II covering 1925-26 the prices of No. 1 northern and of the winter wheats at Kansas City and St. Louis followed one another and that their prices were substantially the same. They constitute a large percentage of the total wheat produced. It seems to me that they are average-milling grades.

Of course, the gentleman comes from the north Pacific coast. A substantial part of the wheat produced there finds its way into export channels. But while this constitutes a substantial percentage of our wheat exports it is but a minor percentage of the total amount of wheat produced in this country.

Mr. SUMMERS of Washington. Some 75,000,000 bushels is produced and about 30,000,000 bushels are exported.

Mr. NEWTON of Minnesota. I do not remember the exact figures.

Mr. SUMMERS of Washington. And, unfortunately, the same favorable conditions do not apply out there.

Mr. NEWTON of Minnesota. No. The wheat produced in the gentleman's territory, or, at least, most of it or a substantial portion of it, gets into the export trade, so that there is not a domestic demand for it for milling such as exists as to these other grades, and, of course, it is reflected in the price. And, again, the Canadian wheat is so much better for milling purposes that it must compete in the markets abroad under adverse conditions.

Mr. FORT. Will the gentleman yield?

Mr. NEWTON of Minnesota. Yes.

Mr. FORT. Following the logic of the questions of the gentleman from Washington does it not come down to this position—that from the charts of the gentleman from Minnesota it appears that wheat is now securing practically the full benefit of the tariff on all grades for which there is a genuine domestic

market; that the only grades as to which that does not apply are those grades of wheat which are raised peculiarly for the export trade and that consequently the equalization fee on the grades that are used domestically would be used to pay the losses on the grades for which there is no domestic demand?

Mr. NEWTON of Minnesota. The gentleman is correct. If the provisions of this bill are put into effect, the northwestern wheat farmer will indeed be penalized. He will have to pay an equalization fee on all of his wheat that is sold or milled, this in order to take care of the loss of all of the wheat growers that will be sustained in selling the surplus abroad. The average total production of all wheat in this country for the years 1920-1924, inclusive, was 834,900,000 bushels. The average of hard spring wheat was 153,800,000 bushels. It was 18½ per cent of the total production. The average annual wheat exports of all kinds during the same period was 186,200,000 bushels, or about 22½ per cent of the gross production. It will be observed that while the hard spring wheats were about 18½ per cent of the production that they constitute only about 6 per cent of our wheat exports. Notwithstanding this, the spring-wheat farmer would pay an equalization fee based upon his production of 153,000,000 bushels. He would stand to benefit only on the exporting of 11,300,000 bushels. On the other hand, the farmer in certain other regions producing largely for export would pay an equalization fee on a smaller production and would at the same time reap a benefit from a much larger surplus. Suppose the equalization fee was \$0.10 per bushel. That is conservative. The spring production is 153,000,000 bushels. Most of that would be sold and not consumed on the farm. Let us assume that 125,000,000 bushels is sold. The percentage would be greater than that, but we will assume that figure. On a \$0.10 per bushel equalization fee there would be collected from the spring-wheat farmer \$12,500,000 during that year. He exports 11,300,000 bushels—that was the average export for this five-year period. His payment into the equalization-fee fund would amount to over \$1 per bushel on his exports. To almost the same extent this is likewise true of the farmer raising soft red winter wheat. With an average yield of 245,000,000 bushels during this period, he exported less than 10 per cent thereof. This was slightly over 5 per cent of the total exports of all grades. As the gentleman from New Jersey [Mr. FORT] suggests, why devise a plan which penalizes the northwestern spring-wheat farmer in this fashion? The farmer who produces the best milling wheat for our own market enjoys protection as these figures and charts show. Why should he be called upon to pay losses of the farmer who produces a quality of wheat that is largely for export?

Mr. WHITTINGTON. Will the gentleman yield?

Mr. NEWTON of Minnesota. Yes.

Mr. WHITTINGTON. If the tariff is intended to protect the growers of wheat and results in not protecting the grower who grows wheat for export, is it not fair that the grower who does receive that protection ought to cooperate with his less fortunate brother so that he will receive a better price for his wheat?

Mr. NEWTON of Minnesota. Before I am led off into this, let me say that I have not the figures on this exportable wheat from the Pacific coast, and I do not know just what they charge. It may very well be that they get substantial protection from the tariff. My answer for purposes of argument assumed that he did not.

Mr. WHITTINGTON. And my question was based on the gentleman's answer, admitting the truth of the assertion made by the gentleman from Washington, that his wheat did not get protection from the tariff.

Mr. SUMMERS of Washington. Let me make this clear. Our wheat does not get full protective benefits from the tariff. I think the answer, if the gentleman will permit, to the situation suggested by the gentleman who is speaking is that the producers of wheat throughout all of the great producing sections are for the bill. There must be something wrong, there must be a discrepancy somewhere, which perhaps the gentleman from the city district of Minneapolis and the gentleman from the exporting district of the Pacific Northwest are not quite able to understand; but there must be a reason, or they would not be asking for the bill by the millions.

Mr. NEWTON of Minnesota. I fancy the real reason is they do not know. This situation has probably never been presented to them. I know that until I looked up the figures that I did not realize that the farmer producing high milling qualities of wheat was receiving such a substantial benefit from the 42 cents a bushel duty. Neither did I realize how the spring wheat farmer would be discriminated against if this bill becomes a law.

Mr. SUMMERS of Washington. In other words, the farmer is getting about all he is entitled to but he does not know it. Is that the contention of the gentleman?

Mr. NEWTON of Minnesota. The point is you can not go over these figures with the Haugen bill as it is and show that the Haugen bill, if put into effect July 1, last year, would have brought the wheat farmer any benefit, and by the wheat farmer I mean the farmer producing the bulk of our milling wheat.

Mr. SUMMERS of Washington. You mean 1925 or 1926?

Mr. NEWTON of Minnesota. The last year that was available, 1925 to 1926.

Mr. SUMMERS of Washington. There was practically no surplus produced in this country then. I am talking about the crop year of 1925.

Mr. NEWTON of Minnesota. We had a very substantial export in 1925.

Mr. SUMMERS of Washington. But nothing like the amount that year that there was in other years. The 1925 crop year we only exported 106,000,000 bushels.

Mr. NEWTON of Minnesota. All right that is one-sixth of the total crop for that year.

If we are going to place in the Federal Farm Board power of this kind, we should require them to grade the equalization fee so that the wheat primarily grown for export pays the tax that it should pay.

The CHAIRMAN. The time of the gentleman from Minnesota has again expired.

Mr. NEWTON of Minnesota. May I have just five minutes more?

Mr. SUMMERS of Washington. I yield the gentleman five minutes more.

Mr. NEWTON of Minnesota. I have been very liberal in yielding for interruptions, because I think that aids in a better understanding of the question.

Mr. SUMMERS of Washington. Will the gentleman yield for a suggestion there?

Mr. NEWTON of Minnesota. Yes.

Mr. SUMMERS of Washington. When the wheat goes into trade it will have an equalization fee collected, say, by the transportation company. I presume that would apply to all wheat that was transported by a transportation company.

Mr. NEWTON of Minnesota. I think it would have to be that way.

Mr. SUMMERS of Washington. Then when this wheat from a foreign country gets over to this country on our railroads, it will be subject to the same equalization fee as the American wheat.

Mr. NEWTON of Minnesota. I have been wondering why the word "transportation" was put in this bill. It was not in the previous bills. It ought not to have been included, and the collection by the railroad of the equalization fee is wholly impractical. In addition, the inclusion of this word raises a very serious constitutional question. The business of a railroad is to carry freight and passengers. Under this bill the board can require the payment of an equalization fee upon either the "sale," "transportation," or "processing" of a bushel of wheat. If the fee is 10 cents per bushel, the miller will deduct that amount from the price he pays the farmer for his wheat. The railroad company, which is a public carrier, does not buy wheat. It merely transports it. It does so at a charge which is published in its tariff. This charge can not be raised or lowered except it publishes the same, and it can not do this excepting by advance notice to all the public and subject to the approval of the Interstate Commerce Commission. The railroad company can not pay less for the wheat, because it does not buy it. It can not add the fee to its tariffs, for tariffs must apply to all alike. It would seem wholly impractical to collect this fee on the transportation of this commodity. If it is attempted it will raise a very serious constitutional question which I shall not discuss now.

Mr. SUMMERS of Washington. If the fee is collected at the mill then the miller will have to pay the fee on all the wheat, and so he would pay on wheat that came in from Canada as well as American wheat.

Mr. NEWTON of Minnesota. But suppose it was not milled.

Mr. SUMMERS of Washington. Can you conceive of buying wheat and not milling it and not selling it? The fee may also be collected "on sale."

Mr. NEWTON of Minnesota. I am saying that you can not collect it on transportation.

Mr. SUMMERS of Washington. It can be done at the mill. I am asking what will be done when it is collected at the mill instead of the transportation company. That was the gentleman's own suggestion. The gentleman said it could be collected there because the miller could deduct it.

Mr. NEWTON of Minnesota. Assume that Canadian wheat comes in over the tariff wall and that it is subject to the payment of an equalization fee when it reaches the miller, who can,

as a practical proposition, collect the fee—this is my offhand impression. In such event, he would, of course, not buy until the domestic price reached figures where he could afford to pay both the tariff and fee. However, that raises an interesting question as to the authority of this board to levy what is in effect if not in law, an additional "duty" or "tax" on importations.

A further objection to this type of legislation is that experience elsewhere on similar schemes have demonstrated that the inevitable effect is detrimental to the producers of the commodity sold. It is true that the commencement of control has been accompanied by price advances. This has been true in rubber, coffee, and so forth, where the country of control produces such a substantial portion of the total production as to enjoy a partial or practical monopoly providing at the same time one or two countries require most of the available supply.

The artificially stimulated high prices have ultimately forced the use of substitutes, encouraged production in noncontrol areas, encouraged economics, and so forth. To illustrate, the Chilean nitrate producer now finds his markets going to his synthetic competitors not only in Germany, but in America. Brazil continues to produce a surplus and is accumulating thereby a surplus which will soon pile up a two-year supply of coffee.

The British control of rubber has so reacted as to materially stimulate production elsewhere, necessitate reclamation of used rubber, improve compounding processes, and so forth. Rubber is still under control. Now, the spot rubber market is \$0.35 as against a top price of \$1.21, a little over one year ago, and an average price one year ago over a period of several months of over twice the present figure.

The countries producing the commodity which I have mentioned enjoy practical monopoly. Our own country consumed substantial portions of the world supply. The controls were put into effect under advantageous circumstances and conditions. They have resulted as I have indicated. The control of wheat would be much more difficult. Wheat is produced in practically every country on the face of the globe. It can be grown in a year. It takes seven years to grow and develop a rubber tree to a point of profit production.

Mr. Chairman, I come from a city district. It is the gateway to a great agricultural country. That country will remain agricultural in character for many years to come. The people of the city of Minneapolis, whom I have the honor and the privilege to represent, can not enjoy prosperity if the farming country tributary to it is not prosperous. That is obvious. I do not know just how much legislation can aid in the economic recovery of agriculture. Far too much emphasis has been placed upon the enactment of legislation to cure economic ills, but wherever legislation can really help, I want to assist in its passage. This is my own attitude and I believe it to be the attitude of the people in the great city which I have the honor and privilege to represent in this body.

Gentlemen, we have not had the most prosperous times in our part of the country since 1921.

In the period of readjustment following the war certain industries have made slower recovery than others. Agriculture is one of them. This has borne heavily not only upon the farmer in the country, but upon the business men, professional men, and working men in the city. Wherever legislation can benefit the farmer, I welcome it and shall support it, but I refuse to be a party to having my people pay for something to benefit the farmer which will not only be detrimental to him but to every one of them.

You have heard much during the past few years as to conditions in my part of the country. They have been bad. I am glad to say they are now much better. I quote from a recent address by Roy A. Young, governor of the Federal reserve bank at Minneapolis, in speaking on conditions in the ninth Federal reserve district. After depicting conditions for the past five or six years, he says:

I am going to picture some of the encouraging things in our territory. There must be an earning and debt paying power in the ninth Federal reserve district that has caused the following results to occur:

1. There has been a reduction of indebtedness of member banks to the Federal reserve bank from \$115,000,000 to \$3,500,000.
2. There has been a reduction in the Federal Reserve Bank of Minneapolis of paper acquired from closed banks from \$14,000,000 to \$1,800,000.
3. Borrowing banks have reduced their loans from the War Finance Corporation from \$60,000,000 to less than \$2,000,000.

Mr. DICKINSON of Iowa. Will the gentleman yield?

Mr. NEWTON of Minnesota. I will.

Mr. DICKINSON of Iowa. That argument is used to show the prosperity of the farmer. Let me suggest to the gentleman,

for I know he wants to be fair, that the increase in farm-mortgage indebtedness and the decrease of personal property of the farmer shows that they have made that reduction in their indebtedness by putting mortgages on their farms and selling livestock in order to do it. It is not paid by profits out of the farm.

Mr. NEWTON of Minnesota. The gentleman wants to see the debts liquidated, and this is one evidence of the return of prosperity.

Mr. DICKINSON of Iowa. It is not a liquidation, it is a transfer from one form of indebtedness into another, which is just as serious against the farmer.

Mr. NEWTON of Minnesota. I must continue:

4. The total deposits of all banks now operating are approximately the same as in 1920.

5. The acreage under cultivation is within 5.2 per cent of that of 1920, and the number of farms has increased slightly.

6. The value of farm production is as great as six years ago in spite of short crops and depressed prices for grain.

In my opinion the accomplishments are the results of diversification and much more can be expected. Diversification is not entirely new in our territory. It has been followed by some of our people for many years. When the crash came in 1920, it was evidence that those farmers who had diversified were much better able to take care of themselves than those who had not. In 1920 diversification became our rehabilitation program, and some of the results since 1920 are extremely interesting. In the trade territory served by Minneapolis the number of dairy cows has increased 750,000 head while the increase in the United States only amounts to 900,000 head.

In Minnesota the increase has been but 13 per cent, but the butter production in pounds has increased 63 per cent, showing that grade animals are being substituted for scrubs. That is why Minnesota had a dairy production last year of \$200,000,000. Minnesota's hogs have increased 30 per cent, while the rest of the United States has had a reduction of 5 per cent. Egg production has doubled. The little red hen in Minnesota alone produces \$60,000,000 annually, or twice the value of our wheat crop which is now only \$30,000,000. In 1926 the value of North Dakota's dairy products, hogs, poultry, mutton, wool, and honey covered their losses in wheat, something that was not possible six years ago. What is true of Minnesota and North Dakota is proportionately true of the other States in our district.

I mention this to show something of the progress that has been made by the farmers in our part of the country, and which can be continued if they are permitted to conduct their business along sound economic lines. Further progress is needed. We are not yet all together out of the woods. Not all of our trouble has been due to abnormally low prices, nor to a disparity in the purchasing power of the dollar of the farmer. It is not necessary to go into those factors at this time. The figures I have given show the results of the efforts that have been made toward diversification and other sound and economic efforts that is responsible for the paying off of the debts referred to in the forepart of my quotation from the remarks of the governor of the Federal reserve bank. Of course it is not the only factor, but it certainly is a prominent one in that process.

Mr. CLAGUE. Will the gentleman yield?

Mr. NEWTON of Minnesota. I will.

Mr. CLAGUE. A few moments ago the gentleman told us that he thought the only people that were in favor of this bill, in favor of the McNary-Haugen bill, were largely speculators and owners of land. I think the gentleman represents a city district.

Mr. NEWTON of Minnesota. I said that I represent a city district.

Mr. CLAGUE. Is it not true that every farm organization in the State of Minnesota favors the McNary-Haugen bill?

Mr. NEWTON of Minnesota. No.

Mr. CLAGUE. Name one.

Mr. NEWTON of Minnesota. There is the Twin City Milk Producers' Association, with a membership of about 6,500. Their capital is close to \$1,000,000. My impression is that Mr. Schilling is a member. They did not favor the McNary-Haugen bill in 1926. I was so advised by some one who knew that they did not want the McNary-Haugen bill. Certainly the Land O' Lakes Cooperative Creamery Co. were not for the McNary-Haugen bill. I was so advised one year ago.

Mr. CLAGUE. Oh, yes; a large part of the Land O' Lakes Association is in my district, and every one of them favors the McNary-Haugen bill. I represent wholly a farm district, and every farm organization of every kind favors the McNary-Haugen bill. Now, speaking of farmers, I want to say that the farmers of my district, I dare say 90 per cent of them, favor this bill. Is it not true that every Member of Congress from

the State of Minnesota, except the gentleman himself, representing a city district, favors the McNary-Haugen bill?

Mr. NEWTON of Minnesota. They voted for the bill a year ago. I have no knowledge as to what they may do on this bill. I assume they may do likewise.

Mr. CLAGUE. Does the gentleman mean to say that there is less indebtedness on farm lands in Minnesota to-day than there was four or six years ago?

Mr. NEWTON of Minnesota. I have said nothing about farm-land indebtedness. I have given you certain figures obtained from the governor of the Federal reserve bank. Does the gentleman dispute them?

Mr. CLAGUE. I got the gentleman on that, but when they paid the Federal reserve bank which demanded its money the farmers had to make loans from other people, and there is a greater indebtedness on the farming lands of Minnesota to-day than ever before.

Mr. NEWTON of Minnesota. I hesitate to accept that statement.

Mr. CLAGUE. It is correct.

Mr. NEWTON of Minnesota. I do not so understand it.

Mr. SUMMERS of Washington rose.

Mr. NEWTON of Minnesota. I must proceed. I do not want to be discourteous. I have been liberal but I can not yield for any prolonged interruptions. I would be very glad to yield for questions.

Mr. SUMMERS of Washington. Mr. Chairman, will the gentleman yield for a question?

Mr. NEWTON of Minnesota. Yes.

Mr. SUMMERS of Washington. The gentleman has referred to the poultry and dairy industries. I am strong for both of them, but does the gentleman believe that the problem of the farmers all over the country can be solved by putting them all into such industries?

Mr. NEWTON of Minnesota. I believe that we can materially increase the production of butter and dairy products without hurting a single dairy farmer.

Mr. SUMMERS of Washington. The question is suggested to me as to whether we did not have to increase the tariff on butter recently.

Mr. NEWTON of Minnesota. Oh, yes. The gentleman now jumps from the McNary-Haugen bill over to the tariff. Surely, he and I ought not to differ on that question.

Mr. SUMMERS of Washington. I hope we do not. We want the tariff effective in both cases.

Mr. NEWTON of Minnesota. Yes. Now, then, we were getting substantial competition from abroad in the importation of high-grade butter. We increased the duty so that to-day it is 12 cents as against 4 cents in the Democratic Underwood bill and 8 cents in the Republican Fordney bill.

Mr. CARSS. And what was the effect of the increase of that tariff on butter prices in Minnesota? Is it not a fact that they went down 4 cents a pound?

Mr. NEWTON of Minnesota. The increase in the butter tariff was made something like a year or so ago, and it was made by the Tariff Commission following the request which was made in the first instance by the Republican congressional delegation from Minnesota. While I am not familiar with the exact figures, I do know and I now reiterate that this additional duty of 4 cents a pound placed there by the Tariff Commission under the flexible provisions of the Fordney law has been of tremendous benefit to the dairy interests of my State. Does the gentleman deny that?

Mr. CARSS. The facts are—

Mr. NEWTON of Minnesota. Does the gentleman deny that?

Mr. CARSS. Certainly I do, because the price of butter went down 4 cents a pound. There is a limit beyond which you can go in butter prices, and any time you get over 50 cents a pound wholesale the people resort to the use of substitutes just as they did a year ago.

Mr. NEWTON of Minnesota. Mr. Chairman, I am glad that the gentleman has taken occasion to state his position. He denies that this 50 per cent increase in the then existing duty on butter has been of benefit to the dairy interests. I have in my files letters from the cooperative creameries of the State testifying to the tremendous benefits and asking that further consideration be given by the Tariff Commission to increasing the duty on cream in the same proportion. And again the Republican delegation from Minnesota has initiated proceedings to bring that about.

Mr. MORGAN. Mr. Chairman, will the gentleman yield?

Mr. NEWTON of Minnesota. Yes.

Mr. MORGAN. Is it not a fact that the tariff increase brought about by the Tariff Commission and the President's order was through the solicitation of the dairy interests of the United States?

Mr. NEWTON of Minnesota. I know that they were a very prominent factor in this, and they were aided by the efforts of the Republican delegates from Minnesota from the start.

Mr. KVALE. Mr. Chairman, will the gentleman yield?

Mr. NEWTON of Minnesota. For a question.

Mr. KVALE. The gentleman has stated several times that it is due to the good offices and work of the Republican delegation from Minnesota.

Mr. NEWTON of Minnesota. Yes.

Mr. KVALE. Why exclude the rest of us who went down to see the Tariff Commission long before the Republican delegation from Minnesota ever thought of it?

Mr. NEWTON of Minnesota. I was not aware that the gentleman did, and when he speaks of "the rest of us," apparently he does not include all, because one of our colleagues [Mr. CARSS] apparently did not favor the increase.

Mr. KVALE. Let me inform the gentleman that I happened to be one of those who went down there two years before the Republican delegation went to see the Tariff Commission about it. The report of the Tariff Commission on the butter tariff will bear out this statement.

Mr. NEWTON of Minnesota. I am glad to know that the gentleman stands for the good, true, Republican principle of protection.

Mr. KVALE. Yes, but—

Mr. NEWTON of Minnesota. We welcome him to our ranks.

Mr. KVALE. Yes; but I would like to have it apply to the farmer.

Mr. NEWTON of Minnesota. I rather figured that did apply to the farmer.

Mr. KVALE. I mean on the McNary-Haugen bill.

Mr. NEWTON of Minnesota. The gentleman feels then that this duty has been of substantial benefit to the dairy interests and to the farmer?

Mr. KVALE. I hope it has.

Mr. NEWTON of Minnesota. The gentleman merely says that he "hopes so."

Gentlemen, this measure is claimed to be an emergency one. If so, the effort to pass it would appear a futile one for two reasons:

First, the President of the United States has on several different occasions, in addressing this Congress and elsewhere, reiterated the position that he took when the agitation for this sort of legislation started, and that was that he was against the Government directly or indirectly fixing prices. This bill clearly comes within that term. If the purpose is to help the farmer in an emergency, why pass a bill which will invite a presidential veto. I shall undoubtedly refer to this in the discussion of the bill this coming week.

Secondly, a year ago I discussed the constitutionality of the then Haugen bill. From a careful consideration I was firmly convinced that the bill was unconstitutional. Whether the equalization fee was treated as a tax, which it is, or as a regulatory fee under the power of Congress to regulate commerce among the several States and in foreign commerce, Congress can not delegate the taxing power. It can not delegate the right to regulate interstate or foreign commerce as it has been provided for in this particular measure. Nor can it under the guise of regulating interstate or foreign commerce regulate intrastate commerce as is provided for in this measure. In my judgment, this bill is more unconstitutional than its predecessor.

Mr. Chairman, believing the bill to be economically unsound and detrimental to both producer and consumer like its predecessors, I can not support it and shall oppose its passage.

TABLE NO. 1.—Average weekly high, No. 1 dark northern spring wheat at Minneapolis; average weekly high, No. 3 Manitoba northern wheat at Winnipeg

[Cents per bushel]

	Minneapolis	Winnipeg	Difference
Crop year 1923-24:			
Week ending—			
July 7.....	133.2	107.1	26.1
July 14.....	132.9	103.7	29.2
July 21.....	127.8	100.7	27.1
July 28.....	132.2	101.5	30.7
Aug. 4.....	133.5	101.0	32.5
Aug. 11.....	128.9	101.6	27.3
Aug. 18.....	131.6	105.2	26.4
Aug. 25.....	127.5	111.2	16.3
Sept. 1.....	130.0	109.0	21.0
Sept. 8.....	132.3	109.0	23.3
Sept. 15.....	130.3	102.2	28.1
Sept. 22.....	127.0	98.3	28.7
Sept. 29.....	127.7	93.5	34.2
Oct. 6.....	126.2	94.6	31.6
Oct. 13.....	130.6	94.6	36.0
Oct. 20.....	128.6	90.3	38.3
Oct. 27.....	128.7	89.8	38.9

TABLE NO. 1.—Average weekly high, No. 1 dark northern spring wheat at Minneapolis; average weekly high, No. 3 Manitoba northern wheat at Winnipeg—Continued

[Cents per bushel]

	Minneapolis	Winnipeg	Difference
Crop year, 1923-24—Continued.			
Week ending—			
Nov. 3.....	127.3	90.7	36.6
Nov. 10.....	123.3	90.6	32.7
Nov. 17.....	120.7	90.3	30.4
Nov. 24.....	121.7	90.8	30.9
Dec. 1.....	122.8	88.7	34.1
Dec. 8.....	124.9	88.3	36.6
Dec. 15.....	123.6	86.1	37.5
Dec. 22.....	121.3	85.3	36.0
Dec. 29.....	119.7	84.9	34.8
Jan. 5.....	124.3	87.0	37.3
Jan. 12.....	126.8	89.7	37.1
Jan. 19.....	127.8	90.1	37.7
Jan. 26.....	127.5	90.1	37.4
Feb. 2.....	129.7	92.0	37.7
Feb. 9.....	131.2	94.4	36.8
Feb. 16.....	130.3	94.0	36.3
Feb. 23.....	131.8	93.9	37.9
Mar. 1.....	130.1	93.5	36.6
Mar. 8.....	132.9	92.9	40.0
Mar. 15.....	130.7	92.0	38.7
Mar. 22.....	130.3	91.9	38.4
Mar. 29.....	128.0	90.0	38.0
Apr. 5.....	127.8	90.0	37.8
Apr. 12.....	126.9	91.0	35.9
Apr. 19.....	129.4	92.7	36.7
Apr. 26.....	131.1	93.6	37.5
May 3.....	130.2	94.9	35.3
May 10.....	133.5	97.4	36.1
May 17.....	133.3	97.0	36.3
May 24.....	134.1	100.2	33.9
May 31.....	135.2	101.7	33.5
June 7.....	132.9	101.3	31.6
June 14.....	138.6	104.5	34.1
June 21.....	147.5	111.7	35.8
June 28.....	149.6	112.1	37.5
Crop year, 1924-25:			
Week ending—			
July 5.....	151.4	116.4	35.0
July 12.....	149.2	116.8	32.4
July 19.....	155.7	128.7	27.0
July 26.....	157.1	137.1	20.0
Aug. 2.....	155.8	144.0	11.8
Aug. 9.....	156.0	141.1	14.9
Aug. 16.....	150.2	138.0	12.2
Aug. 23.....	151.0	135.3	15.7
Aug. 30.....	144.1	129.8	14.3
Sept. 6.....	140.3	129.6	10.7
Sept. 13.....	141.5	132.6	8.9
Sept. 20.....	147.0	138.6	8.4
Sept. 27.....	151.5	142.2	9.3
Oct. 4.....	162.1	150.6	11.5
Oct. 11.....	168.0	159.3	8.7
Oct. 18.....	169.4	155.3	14.1
Oct. 25.....	168.9	150.0	18.9
Nov. 1.....	163.9	143.4	20.5
Nov. 8.....	169.2	148.3	20.9
Nov. 15.....	177.2	158.7	18.5
Nov. 22.....	174.3	157.2	17.1
Nov. 29.....	177.1	157.7	19.4
Dec. 6.....	178.2	152.9	25.3
Dec. 13.....	180.1	159.2	20.9
Dec. 20.....	202.8	165.6	37.2
Dec. 27.....	203.5	173.3	30.2
Jan. 3.....	213.9	174.8	39.1
Jan. 10.....	212.0	176.4	35.6
Jan. 17.....	223.0	182.2	40.8
Jan. 24.....	227.7	186.9	40.8
Jan. 31.....	240.6	201.6	39.0
Feb. 7.....	229.9	191.8	38.1
Feb. 14.....	221.3	185.2	36.1
Feb. 21.....	219.8	186.6	33.2
Feb. 28.....	224.3	191.5	32.8
Mar. 7.....	228.6	192.6	36.0
Mar. 14.....	217.6	175.5	42.1
Mar. 21.....	196.2	158.4	37.8
Mar. 28.....	191.7	159.7	32.0
Apr. 4.....	176.1	139.3	36.8
Apr. 11.....	192.6	147.1	45.5
Apr. 18.....	187.1	132.8	54.3
Apr. 25.....	188.5	151.2	37.3
May 2.....	188.3	154.2	34.1
May 9.....	195.0	171.0	24.0
May 16.....	194.0	170.3	23.7
May 23.....	194.7	181.6	13.1
May 30.....	195.3	187.9	7.4
June 6.....	198.9	171.6	27.3
June 13.....	195.7	169.1	26.6
June 20.....	190.2	158.3	31.9
June 27.....	187.5	158.2	29.3
Crop year, 1925-26:			
Week ending—			
July 3.....	177.1	150.0	27.1
July 11.....	179.0	152.2	26.8
July 18.....	196.5	159.7	36.8
July 25.....	185.7	155.4	30.3
Aug. 1.....	187.6	154.0	33.6
Aug. 8.....	189.7	165.1	24.6
Aug. 15.....	182.5	163.5	19.0
Aug. 22.....	184.6	163.6	21.0
Aug. 29.....	182.8	157.4	25.4
Sept. 5.....	179.8	149.0	30.8
Sept. 12.....	176.0	140.5	35.5
Sept. 19.....	177.2	131.5	45.7
Sept. 26.....	174.0	125.3	48.7

TABLE NO. I.—Average weekly high, No. 1 dark northern spring wheat at Minneapolis; average weekly high, No. 3 Manitoba northern wheat at Winnipeg—Continued
[Cents per bushel]

Crop year, 1925-26—Continued.	Minneapolis	Winnipeg	Difference
Week ending—			
Oct. 3.....	170.7	118.0	52.7
Oct. 10.....	173.9	119.7	54.2
Oct. 17.....	179.1	120.3	58.8
Oct. 24.....	178.4	121.2	57.2
Oct. 31.....	181.5	126.9	54.6
Nov. 7.....	181.9	130.4	51.5
Nov. 14.....	182.7	131.2	51.5
Nov. 21.....	183.3	135.7	47.6
Nov. 28.....	186.2	146.9	39.3
Dec. 5.....	193.2	157.0	36.2
Dec. 12.....	195.0	155.5	39.5
Dec. 19.....	189.4	145.4	44.0
Dec. 26.....	188.8	142.8	46.0
Jan. 2.....	199.1	153.1	46.0
Jan. 9.....	194.9	150.0	44.9
Jan. 16.....	189.5	145.2	44.3
Jan. 23.....	187.2	145.2	42.0
Jan. 30.....	187.1	146.2	40.9
Feb. 6.....	189.2	149.8	39.4
Feb. 13.....	182.3	145.0	37.3
Feb. 20.....	181.3	143.5	37.8
Feb. 27.....	183.9	142.2	41.7
Mar. 6.....	176.8	135.5	41.3
Mar. 13.....	178.8	137.6	41.2
Mar. 20.....	176.2	140.2	36.0
Mar. 27.....	169.6	136.0	33.6
Apr. 3.....	167.9	139.9	28.0
Apr. 10.....	167.8	141.7	26.1
Apr. 17.....	173.8	145.7	27.1
Apr. 24.....	173.7	151.6	22.1
May 1.....	172.7	148.6	24.1
May 8.....	169.2	145.1	24.1
May 15.....	167.9	145.6	22.3
May 22.....	167.3	144.1	23.2
May 29.....	168.4	146.0	22.4
June 5.....	168.8	142.7	26.1
June 12.....	174.4	146.6	27.8
June 19.....	176.4	146.2	30.2
June 26.....	170.2	143.7	27.5
June 30.....	167.2	142.6	25.4

Source: "Wheat Studies," Food, Research Institute, Stanford University, California
TABLE II.—Weekly cash prices of representative wheats, United States and Canada, 1925-26
[Cents per bushel]

Week ending Friday	No. 2 Red Winter, St. Louis	No. 2 Hard Winter, Kansas City	No. 1 Dark Northern, Minneapolis	No. 3 Manitoba, Winnipeg	Differences 1 and 4	Differences 2 and 4	Differences 3 and 4
August.....	1.70	1.63	1.75	1.67	0.03	-0.04	0.07
	1.72	1.67	1.70				
	1.74	1.63	1.68	1.65	.09	-.02	.03
September.....	1.75	1.64	1.67	1.54	.21	.10	.13
	1.74	1.60	1.63	1.49	.25	.11	.14
	1.73	1.58	1.60	1.34	.39	.24	.26
	1.71	1.58	1.59	1.29	.42	.29	.30
October.....	1.71	1.59	1.57	1.21	.50	.37	.36
	1.60	1.51	1.52	1.15	.45	.36	.37
	1.66	1.55	1.53	1.19	.47	.36	.34
	1.73	1.60	1.59	1.18	.55	.42	.41
	1.69	1.59	1.60	1.20	.49	.39	.40
November.....	1.70	1.60	1.63	1.23	.47	.37	.40
	1.70	1.60	1.63	1.28	.42	.32	.35
	1.68	1.61	1.63	1.31	.37	.30	.32
	1.73	1.63	1.67	1.36	.37	.27	.31
December.....	1.75	1.63	1.71	1.48	.27	.15	.23
	1.81	1.71	1.76	1.59	.22	.12	.17
	1.86	1.73	1.79	1.42	.44	.31	.37
	1.80	1.69	1.73	1.44	.36	.25	.29
January.....	1.79	1.66	1.73	1.47	.32	.19	.26
	1.92	1.81	1.85	1.48	.44	.33	.37
	1.94	1.80	1.84	1.49	.45	.31	.35
	1.93	1.76	1.78	1.45	.48	.31	.35
	1.93	1.78	1.76	1.42	.51	.36	.34
February.....	1.93	1.78	1.76	1.46	.47	.32	.30
	1.91	1.77	1.81	1.49	.42	.28	.32
	1.87	1.71	1.72	1.44	.43	.27	.28
	1.79	1.67	1.70	1.43	.36	.24	.27
March.....	1.81	1.70	1.74	1.39	.42	.31	.35
	1.71	1.63	1.68	1.35	.36	.27	.33
	1.72	1.63	1.69	1.41	.31	.22	.28
	1.75	1.64	1.71	1.39	.36	.25	.32
April.....	1.64	1.56	1.62	1.41	.23	.15	.21
	1.69	1.56	1.64	1.38	.31	.18	.26
	1.67	1.56	1.62	1.41	.26	.15	.21
	1.72	1.62	1.68	1.47	.25	.15	.21
	1.73	1.62	1.71	1.49	.24	.13	.22
May.....	1.69	1.58	1.67	1.48	.21	.10	.19
	1.69	1.57	1.66	1.45	.24	.13	.21
	1.68	1.59	1.65	1.43	.25	.14	.22
	1.62	1.55	1.64	1.44	.18	.11	.20
	1.55	1.52	1.64	1.44	.11	.08	.20
June.....	1.49	1.47	1.62	1.43	.06	.04	.19
	1.56	1.64	1.73	1.46	.10	.18	.27
	1.48	1.59	1.72	1.47	.01	.11	.25
	1.46	1.57	1.63	1.42	.04	.15	.21

Source: "Wheat Studies," Food, Research Institute, Stanford University, California.

Mr. TAYLOR of Colorado. Mr. Chairman, I yield 15 minutes to the gentleman from Minnesota [Mr. WEFALD].

Mr. WEFALD. Mr. Chairman, it gives me a great deal of pleasure to be able to follow my distinguished colleague from Minnesota [Mr. NEWTON]. I was not able to hear all of his remarks, but I did hear a part of them. I was fortunate in hearing a part of the colloquy between him and my other distinguished colleague from Minnesota [Mr. CLAGUE]. While I absolutely agree with Mr. CLAGUE, I say for Mr. NEWTON that the stand that he has taken upon the agricultural question has been a very consistent one. The viewpoint of his constituents is not the viewpoint of the farmer. I know that some of the newspapers in our State that have been indiscriminately handing out both praise and censure have not dealt quite fairly with Mr. NEWTON. In the stand that he has taken I can not remember any time when he has not been consistent. He has been more consistent in this matter than his party. For that reason I have no quarrel to make with him because of his stand on the McNary-Haugen bill. The Republican Party in our State has supported this legislation in one community and opposed it in another.

I was very much interested in hearing him discuss the agricultural situation in our State and in the West generally; and especially did I take notice of what he said about the banking situation in the State of Minnesota. Hundreds of banks have closed their doors in our State during the Harding-Coolidge administration, and how any gentleman can consider the banking situation good there I do not understand. In my district, in one county three banks closed the day after election day. They were purposely held back until the election was out of the way so as not to sound a discordant note in the prosperity chorus, and then they "busted." I want to tell a little story that illustrates just how the farmers in my State and in my district feel on the banking situation at the present time. Last fall, on Thanksgiving Day, in a Norwegian community, the pastor of the congregation was preaching his usual Thanksgiving sermon. For his text at that time he took the Bible story of Job—and I think that was a good and fitting story for that community just at that time. In that town, where the little church was located, where he was preaching, there had been two banks, and both of them were closed up.

Those of you who know anything about the Norwegian people know that they are a very serious-minded people and they are very churchly. What they lack in humor they make up in seriousness. I was told that after the pastor had read the text and was preaching a fine sermon on the text, he called attention to how differently the people felt at this time from the way Job felt in his afflictions. He told them how Job had lost his children and all of his property and how even his wife had tempted him to curse God, but that he remained true to God, and the pastor praised him. Then he said:

How different it is with us! If we do not get as good a crop as we think we ought to have, we grumble; if we do not get as many bushels of wheat to the acre as we think we ought to have, we grumble; if the price of potatoes is not what we think it ought to be, we grumble. If we happen to lose a couple of hundred of dollars in a bank that fails we act as though the world were coming to an end.

And right there and then, in that congregation something happened that has never before happened in a Norwegian church congregation either in the United States or in Norway. It was too much for one elderly lady. Her family had lost their savings in one of the banks, she got right up, interrupted the pastor, and said:

Pastor, I call your attention to this fact. It was God who inflicted punishment on Job, but it was thieves and rascals who took our money away from us.

[Laughter.]

The bulk of the farmers so classify the Federal Reserve Board that in 1920 put on the deflation that started banks busting and resulted in the deflation of the farmers.

That is all I need to say about the banking situation. And I think it is a complete answer to the gentleman from Minnesota [Mr. NEWTON].

But, Mr. Chairman, I understand now that the McNary-Haugen bill is going to be passed in both Houses of Congress and signed by the President and will become a law and that the farmers' ills are going to be solved for a time at least. I understand that President Coolidge has changed his mind. I have sat here and watched the President, as you gentlemen have, and I know from observations there is no man who can make a more lightning-like change of position than he.

I understand that all of the time he is now on the lookout, day and night, for a messenger to come down from Congress bringing him the McNary-Haugen bill, so that he can affix his signature and by so doing cinch the nomination for the Presi-

dency. Out where I live they have been doing good work. The Lowden forces are at work day and night out there. The Lowden campaign that has been so splendidly handled here on the floor of the House by the gentleman from Iowa [Mr. Dickinson] has served a fine purpose. I am here to tell you that it is my opinion that Mr. Lowden can not be nominated for the Presidency, but the Lowden money spent out there has had the effect of stirring up the Republicans and making President Coolidge change his position. I hope that he will sign the McNary-Haugen bill and thereby cinch the next nomination. The West cares not who is nominated or elected President if they will be assured that they will not be treated as stepchildren always.

Mr. Chairman, I feel that before the McNary-Haugen bill passes this House, and especially after the speech I heard my colleague make here, that I should have read from the Clerk's desk a resolution that was passed by the Minnesota Farm Bureau Federation, January 20, 1927. That resolution is a complete answer to anything that the gentleman from Minnesota said in his speech here this afternoon about the satisfactory condition of the farmers, and when you hear this resolution read you will wonder if the Farmer Labor Party really had captured Minnesota. You will think at least that the Farmer Labor spirit is marching triumphantly to victory. You would not believe this is the same Farm Bureau Federation that used to be so conservative as to be reckoned reactionary. I send this resolution to the Clerk's desk and ask the Clerk to read it in my time. I desire to have read the portions I have marked, bearing upon national issues, beginning with part 1 on the first page and the whole second page, and I wish every one to listen because it is good reading.

The CHAIRMAN. Without objection the Clerk will read.

There was no objection.

The Clerk read as follows:

1. National legislation: The depression in agriculture which first visited the wheat and corn belts now covers the entire Nation. The accumulative effect of the reduction of the purchasing power of farm products over a period of more than six years makes the situation in agriculture generally, as well as industries dependent upon it, even more acute to-day than any time heretofore. No business has presented itself to Congress for solution during the past 50 years of greater importance nor of greater need for immediate correction than the pending agricultural crisis. The Minnesota Farm Bureau Federation was the first organization to tackle this problem, to study its underlying causes, and present a constructive program for its solution. At the annual meeting of this organization four years ago principles were enunciated and a definite policy and program for the solution adopted. This plan of relief has been embodied in the well-known McNary-Haugen bill for agricultural relief, and after four years of continued suffering and patient waiting we still find the McNary-Haugen bill the center of thought throughout the land, with unified demand for its adoption by Congress. We regret and deplore this long delay and the failure of Congress to act in giving our people the only solution which will solve their problems. We demand of Congress speedy action.

The McNary-Haugen bill now pending in Congress embodies the principles vital and necessary to restore and maintain equality to agriculture. We heartily and unanimously rededicate ourselves and our efforts to this method and plan of solving our greatest national problem.

The principles which we hold as fundamental are: First, a Federal agricultural board, nominated and selected by the farm organizations, and the creation of an export corporation thereunder; second, the segregation of the exportable surplus of all farm commodities and the collection of an equalization fee on each commodity affected. These fundamental principles are now accepted as indispensable to any farm relief worthy of the name.

With equal unanimity and solemnity we oppose the Curtis-Crisp bill, also pending in Congress, and which we feel has been introduced largely, if not solely, for the purpose of dividing our people on true agricultural relief and is a substitution of gesture for principles, of words for policies, and promises for realities. After careful consideration and study we find the Curtis-Crisp bill simply creates a political instead of a real Federal farm board and is not designed to take care of the exportable surplus, nor intended to make the tariff effective or even to influence the domestic price upward of farm commodities consumed in the highly protected, stabilized American market where the farmer purchases all of his necessities. This bill makes no provision for maintaining a domestic price above the world price and will be wholly ineffective and afford no remedy or relief whatever to the producers of corn, wheat, cattle, hogs, cotton, and other major crops of this country. This bill also gives to the United States Department of Agriculture further control over the farmers and will hinder and prevent the operation instead of fostering and promoting the cooperative movement and the benefits thereunder. We therefore call upon all our people, not only in this State, the midwest section of the country, but throughout our whole land, to oppose this or any other substi-

tute for the McNary-Haugen bill, and we ask leaders in all activities in agriculture or otherwise to champion this cause for the common welfare to the end that the same be speedily rejected and by the same token and united effort the McNary-Haugen bill be enacted into law without further delay.

We extend our thanks and appreciation to our Congressmen and Senators who in the past have supported the McNary-Haugen bill, but especially to those of Minnesota who have been and are fighting for our cause and supporting this measure, and deplore that any representative in a lawmaking body, for flimsy excuses or local contentions, refuses to join in this support.

We congratulate and extend our thanks to the members of the present legislature and to his excellency, the governor of our State, for the adoption of the concurrent resolution memorializing Congress to enact legislation to restore and maintain equality to agriculture and their approval of the underlying principles and provisions of the present McNary-Haugen bill, and in return to our friends for the support of these fundamental principles both in our State and National Capitals and elsewhere we here highly resolve to rededicate our individual and organized efforts for the furtherance of this cause and the forever establishment and maintenance of equality to agriculture.

2. Jardine's policy a national scandal: We regret that Dr. William M. Jardine, Secretary of Agriculture, has seen fit to oppose and obstruct all farm legislation demanded by farmers for surplus control and that his idea of the solution of this problem is to force more credit upon any industry which needs the ability to repay its present obligations instead of additional means of getting into debt. We are bitterly disappointed that he has taken the viewpoint of the industrial East instead of the viewpoint of the agricultural West and South in dealing with the agricultural situation in the United States. Under his administration the United States Department of Agriculture has ceased to be a coordinate branch of our Federal Government. It is dominated by and is subordinated to the Department of Commerce, and the Secretary of Agriculture is head of his department in name only. The historic policy of our Government has been to foster agriculture, the basic industry of all, even in prosperous periods, and the Jardine policy is a double indignity because of the calamitous economic conditions now surrounding agriculture which call for constructive leadership. This is a national scandal of the first order, calling for a searching congressional investigation as contemplated in the Wheeler resolution now pending in the United States Senate. Doctor Jardine's unfitness for Secretary of Agriculture is further demonstrated by his action in sending a Federal employee to Europe to "study peasantry in order to apply in this country the methods used there"; by his reference before a New York audience to farmers as a "pack of wolves"; by his numerous broken promises to support farm legislation of a kind determined by farmers; and by his support of the notorious Fess-Tincher bill, which was a flimsy political excuse offered for the solution of an important problem.

The CHAIRMAN. The time of the gentleman has expired.

Mr. TAYLOR of Colorado. How much time does the gentleman desire?

Mr. WEFALD. Five minutes will finish it up.

Mr. TAYLOR of Colorado. I yield the gentleman five additional minutes.

Mr. WEFALD. Mr. Chairman, while the Farm Bureau Federation of Minnesota does not speak for all the farmers of that State, it speaks with the voice of the organized intelligence of thousands and thousands of real farmers, and when you consider that the Farm Bureau is a sort of a connecting link between the farmer and the business man you can get the full import of this resolution. The leaders in this organization used to warn against radicalism. I ask you, did any gentleman here ever hear a Farmer-Labor man speak in as strong language as the words contained in this resolution?

I rejoice over the stand taken by the Farm Bureau although I am astonished over the strong language used. I hope that every Member who has heard this resolution read now will read it over again when it is printed in the RECORD, on a second reading you will get the full import of it.

Mr. Chairman, I had this resolution read by the Clerk because, if it had been extended in the RECORD, nobody would have read it. I happened to have it in my pocket, when I heard my distinguished colleague from Minnesota make his address; I thought it contained a complete answer to what he said. I hope that the reading of the resolution at this time will have at least the result that the Minnesota delegation might be unanimously behind the McNary-Haugen bill when it comes to a vote. I commend it especially to the consideration of my friend from the fifth district of Minnesota. [Applause.]

Mr. DICKINSON of Iowa. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. TINCHER, Chairman of the Committee of

the Whole House on the state of the Union, reported that that committee, having had under consideration the bill H. R. 16863, had come to no resolution thereon.

PERMISSION TO ADDRESS THE HOUSE

Mr. GARRETT of Tennessee. Mr. Speaker, I ask unanimous consent that on Saturday, February 12, at the conclusion of business on the Speaker's table, following the reading of the Journal, the gentleman from Georgia [Mr. UPSHAW] may have permission to address the House for one hour. I understand it is his purpose to speak on National Lessons from Lincoln's Creed.

The SPEAKER. The gentleman from Tennessee asks unanimous consent that on Saturday, February 12, immediately after the reading of the Journal and disposition of matters on the Speaker's table, that the gentleman from Georgia [Mr. UPSHAW] may be granted leave to address the House for one hour on the subject of Abraham Lincoln. Is there objection? [After a pause.] The Chair hears none.

EQUALIZATION FEES

Mr. LANKFORD. Mr. Speaker, I ask unanimous consent to extend my remarks in the Record on the subject of equalization fees.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. LANKFORD. Mr. Speaker, I have to-day introduced a farm-relief measure identical in terms with the McNary-Haugen bill, except as to equalization fees on cotton. My bill would only authorize equalization fees to be levied upon the spinning, milling, or manufacture of cotton into thread or cloth and upon the sale of cotton for such manufacturing purposes and for export purposes.

Realizing that cotton may be sold by original producers to manufacturers, or for export purposes, I put a provision in the bill that no equalization fees shall be collected from original producers of cotton, except when good middling cotton is selling above 17 cents per pound, and then only out of the excess cotton brings above that price.

I had hoped for the passage of a farm relief bill without any equalization fee, but many differ with me and it seems that a bill will probably pass with such a fee. It is my purpose, therefore, to perfect any bill that may pass so as not to put this burden on the ginning or sale of cotton by the farmer. Of course, as is usually the case, the fee may be eventually passed on to the farmer. I am hoping, however, to help secure the passage of a bill which will prove more beneficial than harmful to the farmer. I am of the opinion that the McNary-Haugen bill, if so amended as to contain the provisions now presented by me, will be helpful to the farmers as a general proposition, even though it does not measure up to my ideal of a farm relief measure.

Let me say just here that if the McNary-Haugen bill is amended as suggested by me, the provisions of the bill will be very much improved as to equalization fees on cotton. The present bill as now drawn is much better than the bill of last year as to the equalization fees on meat products, and so forth. I very much feared that the bill of last year would be construed to authorize the collection of equalization fees from every farmer who carried pork to market. The present bill does not authorize any such collection.

In order to show fully how I felt about equalization fees on the producer last year and what I did to prevent such fees, I quote from the CONGRESSIONAL RECORD of May 18, 1926, page 9661, the following:

Mr. LANKFORD. Mr. Chairman, a parliamentary inquiry. The amendment I have would really come at the conclusion of the amendment of the gentleman from South Carolina [Mr. FULMER]. I doubt if my amendment be now in order until the amendment of Mr. FULMER is disposed of. My purpose was to offer it after the disposition of that amendment. I ask that my amendment be reported for information, and I will discuss it now.

The CHAIRMAN. The amendment will be reported for information.

The Clerk read as follows:

"At the end of the Fulmer amendment add the following: 'And provided further, That no equalization fee or charge shall ever be collected upon any basic agricultural commodity while owned by the original producer, nor upon the sale thereof by the original producer direct to consumers or to any person, firm, or corporation which buys basic agricultural commodities for the purpose of and sells same directly to consumers, regardless of whether such sale is made before or after processing.'"

Mr. LANKFORD. Mr. Chairman, the purpose of my proposal is made clear by the reading of the amendment. But I want to put in the bill a provision that so long as the producer retains his product there can be no equalization fee on that product. In other words, there should

be no equalization fee charged at the gin on cotton, provided the farmer keeps it and stores it and retains the ownership of it.

Mr. FULMER. Will the gentleman yield?

Mr. LANKFORD. Yes.

Mr. FULMER. This bill takes care of the cotton equalization fee until he sells it.

Mr. LANKFORD. Yes; but my amendment goes further and provides that where the farmer sells his pork or his beef to his neighbor in the little town where he lives there shall be no equalization fee charged for the selling of that to the consumer. It also provides that if the farmer brings into market his hog or beef and sells the product to the butcher shop or market, no equalization fee can be charged on that sale. In other words, if my amendment is adopted, there can be no equalization fee charged except where the product is sold in wholesale or in interstate commerce. I shall ask for a vote on my amendment at the proper time.

Thereafter upon a vote being taken my amendment was lost. This amendment was voted down last year, and yet, those of us who are anxious to prevent any equalization fee being levied upon the producer will very probably this year be able to go much further than we could possibly hope to go last year. We are gaining by keeping up the fight.

Personally I believe that farm relief legislation can be worked out without any equalization fee whatever. I feel that if any is levied it should be only on the excessive acreage that a man plants, and that even then it should be done only as a part and parcel of a program to help the farmer get a good price for his products. If we succeed in getting worth-while legislation for the farmers and provide for the raising of a fund to stabilize the prices of the farmers' products at a reasonable profit above the cost of production without a direct charge upon the farmer, then all will be well and good. If we can not get what we want, then we can afford to compromise if the compromise is in the interest of the farmer; otherwise it would be better that no bill be passed.

BILLS AND JOINT RESOLUTIONS PRESENTED TO THE PRESIDENT

Mr. CAMPBELL, from the Committee on Enrolled Bills, reported that this day they presented to the President of the United States, for his approval, the following bills and House joint resolutions:

H. R. 2190. An act for the relief of Agnes W. Wilcox;

H. R. 3664. An act to correct the military record of Daniel C. Darroch;

H. R. 6384. An act to amend the acts of June 7, 1924, and March 3, 1925, granting certain public lands to the city of Phoenix, Ariz.;

H. R. 7563. An act to amend section 4900 of the United States Revised Statutes;

H. R. 8784. An act for the relief of Bertha M. Leville;

H. R. 9061. An act to authorize Lieut. Commander Lucius C. Dunn, United States Navy, to accept from the King of Denmark a decoration known as a "Knight of the Order of Dannebrog";

H. R. 9268. An act to amend the agricultural credits act of 1923;

H. R. 9433. An act for the relief of Alexander Edward Metz;

H. R. 10424. An act to ratify the action of a local board of sales control in respect of a contract between the United States and Max Hagedorn, of La Grange, Ga.;

H. R. 11174. An act to amend section 8 of the act of September 1, 1916 (39th Stat. L. p. 716), and for other purposes;

H. R. 13778. An act for the relief of certain citizens of Eagle Pass, Tex.;

H. R. 15127. An act for the relief of sufferers from floods in the vicinity of Fabens and El Paso, Tex., in September, 1925;

H. R. 16023. An act relating to the transfusion of blood by members of the Military Establishment;

H. R. 2994. An act for the relief of Harry J. Dabel;

H. R. 5085. An act to remove the charge of desertion from and correct the naval record of Louis Nemeck, otherwise known as Louis Nemeck;

H. R. 5243. An act to promote the mining of potash on the public domain;

H. R. 5486. An act for the relief of Levi Wright;

H. R. 7849. An act for the relief of Ella Miller;

H. R. 8923. An act for the relief of Sheffield Co., a corporation of Americus, Ga.;

H. R. 9919. An act for the relief of Stanton & Jones;

H. R. 10082. An act to permit construction, maintenance, and use of certain pipe lines for petroleum and its products;

H. R. 10901. An act to authorize the incorporated town of Wrangell, Alaska, to issue bonds in any sum not exceeding \$50,000 for the purpose of constructing and equipping a public-school building in the town of Wrangell, Alaska;

H. R. 11259. An act to reimburse or compensate James E. Parker for money, clothing, and other property misplaced or appropriated by United States authorities during the World War;

H. R. 11139. An act for the relief of Celestina Mateos;

H. R. 11586. An act for the relief of Fannie B. Armstrong;

H. R. 12109. An act to amend section 115b of subchapter 3 of chapter 1 of the District of Columbia Code;

H. R. 12110. An act to amend section 1135, chapter 31, of the District of Columbia Code;

H. R. 13451. An act to increase the pensions of certain maimed veterans who have lost limbs or have been totally disabled in the same, in line of duty, in the military or naval service of the United States, and to amend section 4788 of the Revised Statutes of the United States by increasing the rates therein for artificial limbs;

H. R. 13453. An act to amend the act providing additional aid for the American Printing House for the Blind;

H. R. 14250. An act to authorize reimposition and extension of the trust period on lands held for the use and benefit of the Capitan Grande Band of Indians in California;

H. J. Res. 53. Joint resolution to amend an act entitled "An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War, and certain widows and dependent children of soldiers and sailors of said war," approved December 23, 1924; and

H. J. Res. 100. Joint resolution to authorize the Secretary of War to expend not to exceed \$125,000 for the protection of Government property adjacent to Lowell Creek, Alaska.

ADJOURNMENT

Mr. DICKINSON of Iowa. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 17 minutes p. m.) the House adjourned until tomorrow, Saturday, February 5, 1927, at 12 o'clock noon.

COMMITTEE HEARINGS

Mr. TILSON submitted the following tentative list of committee hearings scheduled for Saturday, February 5, 1927, as reported to the floor leader by clerks of the several committees:

COMMITTEE ON APPROPRIATIONS (10.30 a. m.)

Second deficiency bill.

COMMITTEE ON INSULAR AFFAIRS (10.30 a. m.)

To clarify and amend existing laws relating to the powers and duties of the auditor for the Philippine Islands, and for other purposes (H. R. 16868).

COMMITTEE ON MINES AND MINING (10.30 a. m.)

To amend an act entitled "An act to provide relief in cases of contracts connected with the prosecution of the war, and for other purposes," approved March 2, 1919, as amended (S. 3641).

EXECUTIVE COMMUNICATIONS, ETC

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

941. A letter from the Secretary of War, transmitting report from the Chief of Engineers on preliminary examination and survey of Bear Creek, Ky. (H. Doc. No. 685); to the Committee on Rivers and Harbors and ordered to be printed.

942. A letter from the Secretary of War, transmitting report from the Chief of Engineers on preliminary examination and survey of Quinnipiac River, Conn., from the new Tomlinson Bridge up to Lewis Bridge (H. Doc. No. 686); to the Committee on Rivers and Harbors and ordered to be printed, with illustrations.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. WOODRUFF: Committee on Naval Affairs. H. R. 16771. A bill to authorize the appraisal of certain Government property, and for other purposes; without amendment (Rept. No. 1976). Referred to the Committee of the Whole House on the state of the Union.

Mr. ZIHLMAN: Committee on the District of Columbia. H. R. 15208. A bill to provide for the detention of fugitives apprehended in the District of Columbia; without amendment (Rept. No. 1977). Referred to the House Calendar.

Mr. ZIHLMAN: Committee on the District of Columbia. S. 5266. An act to prohibit the sale of black bass in the District

of Columbia; without amendment (Rept. No. 1978). Referred to the House Calendar.

Mr. ARENTZ: Committee on the Public Lands. H. R. 12414. A bill for the relief of homestead settlers on the drained Mud Lake bottom in the State of Minnesota; with an amendment (Rept. No. 1982). Referred to the Committee of the Whole House on the state of the Union.

Mr. WILLIAMSON: Committee on Indian Affairs. H. R. 16838. A bill authorizing the Shoshone Tribe of Indians of the Wind River Reservation in Wyoming to submit claims to the Court of Claims; without amendment (Rept. No. 1983). Referred to the Committee of the Whole House on the state of the Union.

Mr. LUCE: Committee on the Library. H. R. 6235. A bill to provide for the erection of a monument to Gen. Anthony Wayne at Defiance, Ohio; with an amendment (Rept. No. 1984). Referred to the Committee of the Whole House on the state of the Union.

Mr. LUCE: Committee on the Library. H. R. 16656. A bill to establish a national war memorial museum and veterans' headquarters in the building known as Ford's Theater; with an amendment (Rept. No. 1985). Referred to the Committee of the Whole House on the state of the Union.

Mr. LUCE: Committee on the Library. H. R. 16746. A bill to erect a monument to the memory of the Federal soldiers who were killed at the Battle of Perryville, and for other purposes; with an amendment (Rept. No. 1986). Referred to the Committee of the Whole House on the state of the Union.

Mr. GREEN of Iowa: Committee on Ways and Means. H. R. 16886. A bill to authorize the Director of the United States Veterans' Bureau to make loans to veterans upon the security of adjusted service certificates; without amendment (Rept. No. 1987). Referred to the Committee of the Whole House on the state of the Union.

Mr. LUCE: Committee on the Library. H. J. Res. 42. A joint resolution authorizing the erection of a monument to the memory of Sacajawea, or Bird Woman; with an amendment (Rept. No. 1988). Referred to the Committee of the Whole House on the state of the Union.

Mr. LUCE: Committee on the Library. S. 4876. An act providing for the erection of a monument on Kill Devil Hill, at Kitty Hawk, N. C., commemorative of the first successful attempt in history at power-driven airplane flight; without amendment (Rept. No. 1989). Referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. LINEBERGER: Committee on Naval Affairs. S. 2085. An act to correct the naval record of John Cronin; without amendment (Rept. No. 1979). Referred to the Committee of the Whole House.

Mr. LINEBERGER: Committee on Naval Affairs. H. R. 10290. A bill for the relief of Kenneth M. Orr; without amendment (Rept. No. 1980). Referred to the Committee of the Whole House.

Mr. MAGEE of Pennsylvania: Committee on Naval Affairs. H. R. 15439. A bill providing for sundry matters affecting the naval service; without amendment (Rept. No. 1981). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of Rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. LANKFORD: A bill (H. R. 16945) to establish a Federal farm board to aid in the orderly marketing and in the control and disposition of the surplus of agricultural commodities; to the Committee on Agriculture.

By Mr. VINSON of Georgia: A bill (H. R. 16946) to provide additional pay for enlisted men of the United States Navy assigned to duty on submarine vessels of the Navy; to the Committee on Naval Affairs.

By Mr. ZIHLMAN: A bill (H. R. 16947) for the relief of the Lucy Webb Hayes National Training School for Deaconesses and Missionaries; to the Committee on the District of Columbia.

Also, a bill (H. R. 16948) to increase the salaries of the Commissioners of the District of Columbia; to the Committee on the District of Columbia.

Also, a bill (H. R. 16949) to amend the District of Columbia traffic act, 1925, and for other purposes; to the Committee on the District of Columbia.

By Mr. REECE: A bill (H. R. 16950) granting the consent of Congress to the department of highways and public works of the State of Tennessee to construct, maintain, and operate

a bridge across the Clinch River in Hancock County, Tenn.; to the Committee on Interstate and Foreign Commerce.

By Mr. GARBER: A bill (H. R. 16951) to authorize intermediate credit banks to assist agricultural cooperative associations in acquiring storage facilities; to the Committee on Banking and Currency.

By Mr. KIESS: A bill (H. R. 16952) to ratify and confirm act No. 3243 of the Philippine Legislature approved November 27, 1925; to the Committee on Insular Affairs.

By Mr. GIBSON: A bill (H. R. 16953) to provide a five-year building and extension program for the free public library system of the District of Columbia; to the Committee on the District of Columbia.

By Mr. SEARS of Nebraska: A bill (H. R. 16954) granting the consent of Congress to the city of Blair, Nebr., or its assignees, to construct a bridge and approaches thereto across the Missouri River between the States of Nebraska and Iowa; to the Committee on Interstate and Foreign Commerce.

By Mr. CELLER: Joint resolution (H. J. Res. 348) amending paragraph 3, section 2, Public Act 96, Sixty-seventh Congress, known as the Willis-Campbell Act, which is an act supplemental to the national prohibition act; to the Committee on the Judiciary.

By Mr. BLACK of New York: Resolution (H. Res. 408) to obtain information from the State Department concerning our relations with China; to the Committee on Foreign Affairs.

By Mr. CRISP: Resolution (H. Res. 409) providing for the appointment of a committee of five members of the House to investigate and report to the House at the earliest practicable date during the present session what adjustments, if any, should be made in the compensation of the officers and employees of the House of Representatives; to the Committee on Rules.

By Mr. JOHNSON of Washington: Resolution (H. Res. 410) for the immediate consideration of bills reported to the House of Representatives from the Committee on Immigration and Naturalization; to the Committee on Rules.

MEMORIALS

Under clause 3 of Rule XXII, memorials were presented and referred as follows:

Memorial of the Legislature of the State of Oklahoma, pertaining to the retirement of emergency officers of the World War on equal terms and conditions with officers of the Regular Army, the Navy, and the Marine Corps; to the Committee on Military Affairs.

Memorial of the Legislature of the State of Iowa, to amend the tariff schedule as affecting the duty on molasses imported for the manufacture of industrial alcohol to such an extent that it will be more economical to use corn in its manufacture than to use imported molasses; to the Committee on Ways and Means.

By Mr. JOHNSON of South Dakota: Memorial of the Legislature of the State of South Dakota, requesting the establishing of a Federal farm board with authority to direct the handling of surplus agricultural commodities as embodied in the McNary-Haugen bill; to the Committee on Agriculture.

By Mr. SWANK: Memorial of the Legislature of the State of Oklahoma, requesting favorable action on S. 3027 and H. R. 4548, pertaining to the retirement for disabled emergency officers of the World War on equal terms and conditions with officers of the Regular Army, the Navy, and Marine Corps; to the Committee on World War Veterans' Legislation.

Also, memorial of the Legislature of the State of Oklahoma, requesting that the Secretary of the Interior make collection of balance of purchase price of lands sold belonging to the Choctaw and Chickasaw Tribes of Indians; to the Committee on Indian Affairs.

By Mr. McSWAIN: Memorial of the Legislature of the State of South Carolina, requesting favorable passage of S. 33 and H. R. 4548; to the Committee on Military Affairs.

By Mr. DOMINICK: Memorial of the Legislature of the State of South Carolina, requesting favorable passage of S. 33 and H. R. 4548; to the Committee on Military Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BOYLAN: A bill (H. R. 16955) granting an increase of pension to Margaret Palmer; to the Committee on Invalid Pensions.

By Mr. DOWELL: A bill (H. R. 16956) granting an increase of pension to Geacan J. Bennett; to the Committee on Invalid Pensions.

By Mr. ENGLEBRIGHT: A bill (H. R. 16957) granting patent to O. E. Moore; to the Committee on the Public Lands.

By Mr. HOGG: A bill (H. R. 16958) granting an increase of pension to Amanda Anderson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 16959) granting an increase of pension to Nellie Misner; to the Committee on Invalid Pensions.

Also, a bill (H. R. 16960) granting an increase of pension to Annie L. Staffstall; to the Committee on Invalid Pensions.

By Mr. JACOBSTEIN: A bill (H. R. 16961) granting an increase of pension to Alberta V. Coughnet; to the Committee on Invalid Pensions.

Also, a bill (H. R. 16962) granting a pension to Catherine M. Atkins; to the Committee on Invalid Pensions.

Also, a bill (H. R. 16963) granting an increase of pension to Theoda I. Wilson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 16964) granting an increase of pension to Mary E. Young; to the Committee on Invalid Pensions.

By Mr. SEARS of Nebraska: A bill (H. R. 16965) granting a pension to Eliza W. Robar; to the Committee on Invalid Pensions.

By Mr. SNELL: A bill (H. R. 16966) granting an increase of pension to Mildred Hamlin; to the Committee on Invalid Pensions.

By Mr. STRONG of Kansas: A bill (H. R. 16967) granting an increase of pension to Martha E. Roelf; to the Committee on Invalid Pensions.

By Mr. SWING: A bill (H. R. 16968) for the relief of John H. Morse; to the Committee on Claims.

By Mr. WILLIAMSON: A bill (H. R. 16969) for the relief of H. C. Lafferty; to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

6043. Petition of Clinton Chamber of Commerce, Clinton, Iowa, supporting legislation in raising the tariff on imported molasses used for the manufacture of industrial alcohol; to the Committee on Ways and Means.

6044. Petition to confer jurisdiction upon the Court of Claims to hear, examine, and adjudicate and enter judgment in any claims which the Miami Indians of Indiana have against the United States, and for other purposes; to the Committee on Indian Affairs.

6045. By Mr. ADKINS: Petition of citizens of Decatur, State of Illinois, urging that immediate steps be taken to pass the Civil War pension bill; to the Committee on Invalid Pensions.

6046. By Mr. ALMON: Petition of citizens of the eighth congressional district of Alabama, urging the immediate passage of the Civil War pension bill; to the Committee on Invalid Pensions.

6047. Also, petition of citizens of the eighth congressional district of Alabama, urging the immediate passage of the Civil War pension bill; to the Committee on Invalid Pensions.

6048. Also, petition of citizens of the eighth congressional district of Alabama, urging the immediate passage of the Civil War pension bill; to the Committee on Invalid Pensions.

6049. By Mr. BARBOUR: Petition of residents of Delano, Modesto, and Sanger, Calif., urging passage of a bill to increase pensions of Civil War veterans and widows of veterans; to the Committee on Invalid Pensions.

6050. By Mr. BLOOM: Petition of Abraham Lincoln Post No. 4, Grand Army of the Republic, Denver, Colo., requesting certain pension legislation with reference to Civil War veterans and widows of veterans; to the Committee on Invalid Pensions.

6051. By Mr. BRIGHAM: Petition in form of a resolution of the convention of the American Legion, Department of Vermont, favoring the passage of pending legislation provided in the Tyson-Fitzgerald bill for relief of disabled emergency officers of the World War; to the Committee on World War Veterans' Legislation.

6052. By Mr. CAMPBELL: Petition by the Buffalo Branch No. 27, National Association of Postal Employees, favoring the passage of House bill 16435; to the Committee on the Post Office and Post Roads.

6053. By Mr. CARTER of California: Petition of the Stanton Woman's Relief Corps, No. 16, Auxiliary to Stanton Post, No. 55, Grand Army of the Republic, Department of California, urging the passage of the bill increasing pensions of widows of Civil War veterans; to the Committee on Invalid Pensions.

6054. By Mr. CELLER: Petition of the American Society of Certified Public Accountants; to the Committee on Appropriations.

6055. By Mr. CULLEN: Resolution presented by Mr. P. J. Lydecker, of Paterson, N. J., and signed by members of the com-

mittee from Connecticut, New York, New Jersey, and Maryland, indorsing increase in salaries of Federal employees; to the Committee on the Civil Service.

6056. By Mr. CURRY: Petition of residents of the third California district, for increase in Civil War pensions; to the Committee on Invalid Pensions.

6057. By Mr. DRANE: Petition signed by R. V. Goodwin and others, of Tarpon Springs, Fla., urging the passage of pension legislation for the relief of veterans of the Civil War and widows of veterans at the present session of Congress; to the Committee on Invalid Pensions.

6058. By Mr. DRIVER: Petition signed by citizens of Mississippi County, Ark., indorsing legislation for the relief of the Civil War veterans, their widows, and dependents; to the Committee on Invalid Pensions.

6059. By Mr. DOWELL: Petition of citizens of Polk County, Iowa, urging enactment of legislation increasing pensions of veterans of the Civil War and widows of veterans; to the Committee on Invalid Pensions.

6060. Also, petition of citizens of Des Moines, Iowa, urging enactment of legislation increasing the pensions of veterans of the Civil War and widows of veterans; to the Committee on Invalid Pensions.

6061. By Mr. EATON: Petition of Washington Camp, No. 54, Patriotic Order Sons of America, of Baptistown, N. J., opposing repeal or modification of present immigration acts; to the Committee on Immigration.

6062. By Mr. GALLIVAN: Petition of Block-Jones Photo Co. (Inc.), Albert E. Block, president, 27 Von Hillern Street, Dorchester, Mass., recommending early and favorable consideration of the Swing-Johnson bill providing for the protection of Imperial Valley in California; to the Committee on Irrigation and Reclamation.

6063. By Mr. GARBER: Petition of the American Association for Labor Legislation, urging enactment of Senate bill 3170, the longshoremen's compensation legislation; to the Committee on the Judiciary.

6064. By Mr. GREENWOOD: Petition of Mr. C. H. Bicknell and 32 other citizens of Sullivan County, Ind., urging immediate vote on a Civil War pension bill carrying the rates proposed by the National Tribune, in order that relief may be accorded to needy and suffering veterans and widows of veterans; to the Committee on Invalid Pensions.

6065. By Mr. HAWLEY: Petitions of residents of Merlin, Gates Creek, Port Orford, Yoncalla, Arago, Corvallis, Gold Hill, Newberg, Clackamas County, Ashland, Wilsonville, Salem, Linn County, Sandlake, Jackson County, Gervais, Dallas, and Douglas County, Oreg., to bring to a vote the Civil War pension bill granting relief to veterans and widows of veterans; to the Committee on Invalid Pensions.

6066. By Mr. HOOPER: Petition of Daniel Pikkaart, jr., and 32 other residents of Kalamazoo, Mich., in favor of pending legislation to increase the present rates of pension of Civil War veterans, their widows, and dependents; to the Committee on Invalid Pensions.

6067. Also, petition of Frances J. Miller and 68 other residents of Battle Creek, Mich., in favor of pending legislation to increase the present rates of pension of Civil War veterans, their widows, and dependents; to the Committee on Invalid Pensions.

6068. By Mr. HOWARD: Petition favoring the passage of an increase of pensions for Civil War veterans and their widows, submitted by Mrs. A. E. Masterson and some 20 others of Fremont, Dodge County, Nebr.; to the Committee on Invalid Pensions.

6069. Also, petition favoring the passage of increase of pensions for Civil War veterans and widows of veterans, submitted by Mr. L. A. Leigh and some sixty-odd names of petitioners residing at Santee, Knox County, Nebr.; to the Committee on Invalid Pensions.

6070. By Mr. JOHNSON of Texas: Petition of citizens of Mount Calm, Tex., in behalf of legislation increasing pensions of veterans of the Civil War and widows of veterans; to the Committee on Invalid Pensions.

6071. By Mr. KINDRED: Petition of the Women's Committee of the George Washington-Sulgrave Institution, protesting against reduction of appropriations and forces of the United States Army and Navy as nullifying the 1920 national defense act and the 5-5-3 naval ratio; to the Committee on Military Affairs.

6072. Also, resolution of the New York Commandery of the Naval Order of the United States, that the representatives of this order view with grave concern the failure of Congress to provide the funds to maintain the Navy in accordance with the 5-5-3 ratio, and particularly deploring the refusal of the

House of Representatives to provide funds to at least lay down the three cruisers authorized; to the Committee on Naval Affairs.

6073. By Mr. KVALE: Petition of Mr. J. H. Wilger and 28 residents of Willmar, Minn., remonstrating against legislation repealing the Pullman surcharge; to the Committee on Interstate and Foreign Commerce.

6074. By Mr. LETTS: Petition of Amanda Frack and 19 other citizens of Muscatine, Iowa, urging the passage of the Civil War pension bill; to the Committee on Invalid Pensions.

6075. By Mr. McCLINTIC: Petition of 248 voters of Roger Mills, Custer, and Kiowa Counties, praying for the passage of a bill to increase the pensions of Civil War veterans and widows and dependents of veterans; to the Committee on Invalid Pensions.

6076. By Mr. McFADDEN: Petition of voters of Monroeton, Pa., requesting Civil War pension legislation; to the Committee on Invalid Pensions.

6077. By Mr. McLAUGHLIN of Michigan: Petition of 25 citizens of Traverse City, Mich., for a liberalization of the Civil War pension laws; to the Committee on Invalid Pensions.

6078. By Mr. McREYNOLDS: Petition from the voters of Soddy, Hamilton County, Tenn., requesting immediate consideration of the bill for the relief of veterans of the Civil War and widows of veterans; to the Committee on Invalid Pensions.

6079. By Mr. MAJOR: Petition of citizens of Springfield, Mo., urging the passage of the Civil War pension bill, for the relief of needy and suffering veterans and widows of veterans; to the Committee on Invalid Pensions.

6080. Also, petition of the citizens of Slater, Mo., urging the passage of Civil War pension bill for the relief of needy and suffering veterans and widows of veterans; to the Committee on Invalid Pensions.

6081. By Mr. MANLOVE: Petition of Mrs. Maggie L. Adams, Dr. S. H. Miller, and 11 other citizens of Joplin, Mo., urging the passage of legislation favorable to veterans of the Civil War and widows of veterans; to the Committee on Invalid Pensions.

6082. Also, petition of Mr. R. H. Kenagy, Mr. E. K. Thornberry, and 46 other citizens of Neosho, Mo., urging the passage of legislation for increase of pensions of veterans of the Civil War and for widows of veterans; to the Committee on Invalid Pensions.

6083. By Mr. MURPHY: Petition by the voters of Harrison County, Ohio, urging that immediate steps be taken to bring to a vote Civil War pension bill in order that relief may be accorded to needy and suffering veterans and widows of veterans; to the Committee on Invalid Pensions.

6084. By Mr. NELSON of Maine: Petition from the citizens of Augusta, Waterville, Madison, Athens, and Bar Harbor, urging the passage by Congress of the Civil War pension bill for the relief of needy veterans and widows of veterans; to the Committee on Invalid Pensions.

6085. By Mr. O'CONNELL of New York: Petition of the Non-intervention Citizens Committee of New York, favoring the passage of Senate resolution 309, for the recall from Nicaragua the American marines and warships now stationed there; to the Committee on Foreign Affairs.

6086. Also, petition of the George Washington-Sulgrave Institution, protesting against reduction of appropriations and forces of our Army and Navy as nullifying the 1920 national defense act and the 5-5-3 naval ratio; to the Committee on Military Affairs.

6087. By Mr. O'CONNOR of New York: Petition of various citizens, urging higher pension rates for Civil War survivors and Civil War widows; to the Committee on Invalid Pensions.

6088. Also, resolutions of the New York Commandery of the Naval Order of the United States, urging appropriations to build three additional cruisers; to the Committee on Naval Affairs.

6089. Also, resolutions of the women's committee of the George Washington-Sulgrave Institution, protesting against reductions of appropriations and forces of the Army and Navy as nullifying the 1920 national defense act and the 5-5-3 naval ratio; to the Committee on Naval Affairs.

6090. Also, resolutions passed at a mass meeting of the Non-intervention Citizens' Committee, held at the Lyric Theater, New York City, urging President Coolidge to submit dispute with Mexico to arbitration; urging passage of Senate Resolution 309, Senate Resolution 319, and House Concurrent Resolution 45; to the Committee on Foreign Affairs.

6091. By Mr. O'CONNELL of New York: Petition of the Philadelphia Board of Trade, opposing the passage of the McNary-Haugen bill; to the Committee on Agriculture.

6092. Also, petition of the Millers' National Federation, opposing the McNary-Haugen bill; to the Committee on Agriculture.

6093. Also, petition of the New York Commandery of the Naval Order of the United States, that the Congress provide funds to maintain the Navy in accordance with the 5-5-3 ratio and the building of the three cruisers authorized; to the Committee on Naval Affairs.

6094. By Mr. PRATT: Petition of citizens of Malden-on-Hudson, Ulster County, N. Y., urging enactment of legislation to increase the pensions of Civil War veterans and widows of veterans; also, petition of citizens of Chatham, Columbia County, N. Y., urging enactment of legislation to increase the pensions of Civil War veterans and widows of veterans; to the Committee on Invalid Pensions.

6095. By Mr. ROBINSON of Iowa: Petition for the enactment of Civil War pension legislation, sent in by the citizens of Dubuque, Dubuque County, Iowa; to the Committee on Invalid Pensions.

6096. By Mrs. ROGERS: Petition of Dr. Arthur W. Gilbert, commissioner, department of agriculture, Commonwealth of Massachusetts, in favor of House bill 16172, listed on House Calendar No. 364; to the Committee on Agriculture.

6097. By Mr. SIMMONS: Petitions of citizens of Loup and Box Butte Counties and other citizens of Nebraska, asking for an increase of pensions to veterans of the Civil War and widows of veterans; to the Committee on Invalid Pensions.

6098. By Mr. SINCLAIR: Petition of about 100 residents of Kenmare, N. Dak., and vicinity, urging the early enactment of the Civil War pension bill; to the Committee on Invalid Pensions.

6099. By Mr. STALKER: Petition of citizens of Jacksonville, Tompkins County, N. Y., urging the enactment of Civil War pension legislation for further increase in pension for Civil War veterans and widows of veterans; to the Committee on Invalid Pensions.

6100. By Mr. STRONG of Kansas: Petition of voters of Agenda, Kans., urging passage of Civil War pension bill for widows and veterans; to the Committee on Invalid Pensions.

6101. By Mr. THURSTON: Petition of citizens of Decatur County, Iowa, requesting Civil War pension legislation; to the Committee on Invalid Pensions.

6102. Also, petition of city council of Sioux City, Iowa, requesting farm legislation; to the Committee on Agriculture.

6103. Also, petition of Greater Sioux City Committee, Sioux City, Iowa, requesting farm legislation; to the Committee on Agriculture.

6104. Also, petition of Muscatine Civic Federation, Muscatine, Iowa, indorsing the McNary-Haugen bill; to the Committee on Agriculture.

6105. By Mr. VINSON of Kentucky: Petition signed by numerous residents of Owingsville, in the ninth congressional district of Kentucky, urging the passage, before adjournment of Congress, of a bill for the relief of needy and suffering veterans of the Civil War and widows of veterans; to the Committee on Invalid Pensions.

6106. Also, petition signed by numerous residents of the county of Carter, in the ninth congressional district of Kentucky, and urging the passage, before adjournment of Congress, of a bill for the relief of needy and suffering veterans of the Civil War and widows of veterans; to the Committee on Invalid Pensions.

6107. Also, petition signed by numerous residents of the county of Montgomery, in the ninth congressional district of Kentucky, and urging the passage, before adjournment of Congress, of a bill for the relief of Civil War veterans and widows of veterans; to the Committee on Invalid Pensions.

6108. Also, petition signed by numerous residents of the city of Louisa, in the ninth congressional district of Kentucky, urging the passage, before adjournment of Congress, of a bill for the relief of needy and suffering veterans of the Civil War and widows of veterans; to the Committee on Invalid Pensions.

6109. By Mr. VOIGT: Petition of W. H. Henry and 52 other residents of Jefferson, Wis., urging increased pensions for Civil War veterans and their widows; to the Committee on Invalid Pensions.

6110. By Mr. WATSON: Petition of residents of Pottstown, Montgomery County, Pa., urging the enactment of Civil War pension legislation; to the Committee on Invalid Pensions.

6111. By Mr. WILLIAMSON: Petition of State Legislature of South Dakota, asking Congress to enact legislation creating a Federal farm board with authority to direct the handling of surplus agricultural commodities, as embodied in the McNary-Haugen bill, with a view to placing agriculture on the same footing with other industries; to the Committee on Agriculture.

6112. By Mr. WOODYARD: Petition of citizens of Advent, W. Va., favoring additional pension legislation; to the Committee on Invalid Pensions.

SENATE

SATURDAY, February 5, 1927

The Chaplain, Rev. J. J. Muir, D. D., offered the following prayer:

Almighty and everlasting God, though the heavens can not contain Thee Thou art ever willing to dwell with the humble and contrite heart and to manifest Thy mercies to all who come reverently into Thy presence and seek Thy grace. Be pleased to look upon us this morning and grant unto us such guidance by Thy Holy Spirit that we may do the things which shall be acceptable in Thy sight, and that we shall acquit ourselves honorably in the presence of the Nation. We ask in Jesus' name. Amen.

The Chief Clerk proceeded to read the Journal of yesterday's proceedings when, on request of Mr. CURTIS and by unanimous consent, the further reading was dispensed with and the Journal was approved.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Chaffee, one of its clerks, announced that the House had passed a bill (H. R. 16800) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenue of such District for the fiscal year ending June 30, 1928, and for other purposes, in which it requested the concurrence of the Senate.

ENROLLED BILLS SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills, and they were thereupon signed by the Vice President:

H. R. 4502. An act declaring pistols, revolvers, and other firearms capable of being concealed on the person nonmailable and providing penalty; and

H. R. 7776. An act for the reimbursement of Emma E. L. Pulliam.

CALL OF THE ROLL

Mr. SMOOT. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll. The legislative clerk called the roll, and the following Senators answered to their names:

Ashurst	Fletcher	King	Robinson, Ark.
Bayard	Frazier	La Follette	Robinson, Ind.
Bleas	George	Lenroot	Sackett
Borah	Gerry	McKellar	Schall
Bratton	Gillett	McLean	Sheppard
Broussard	Glass	McMaster	Shortridge
Bruce	Goff	McNary	Smith
Cameron	Gooding	Mayfield	Smoot
Capper	Greene	Means	Steck
Caraway	Hale	Metcalf	Stephens
Copeland	Harris	Neely	Stewart
Couzens	Harrison	Norbeck	Trammell
Curtis	Hawes	Norris	Tyson
Dale	Heflin	Nye	Wadsworth
Deneen	Howell	Oddie	Walsh, Mass.
Dill	Johnson	Overman	Walsh, Mont.
Edge	Jones, N. Mex.	Phipps	Warren
Ernst	Jones, Wash.	Pine	Watson
Ferris	Kendrick	Pittman	Wheeler
Fess	Keyes	Reed, Pa.	Willis

Mr. JONES of Washington. I desire to announce that the Senator from Connecticut [Mr. BINGHAM] is necessarily absent on account of illness.

The VICE PRESIDENT. Eighty Senators having answered to their names, a quorum is present.

RELEASE OF GERMAN PROPERTY IN FRANCE

Mr. BORAH. Mr. President, I ask permission to have read at the desk a special dispatch with respect to the release of German property in France, which I have had translated.

The VICE PRESIDENT. Without objection, the clerk will read the dispatch.

The Chief Clerk read as follows:

DECREE WITH RESPECT TO THE RELEASE OF GERMAN PROPERTY IN FRANCE

PARIS, January 18.—In furtherance of the definitive agreement of October 3, 1926, with the French administration, which has been ratified on December 22, the President of the French Republic now issues a decree of January 8, 1927, as follows:

The French administration renounces its existing right, accorded to it under article 297 of the treaty of Versailles, for the liquidation of